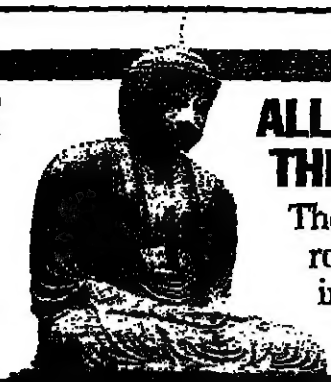


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**PLAY THE  
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## Howard set to ban 'Rambo' knives

By PHILIP WEBSTER  
POLITICAL EDITOR

MICHAEL HOWARD hinted strongly last night that he was ready to ban the sale of Rambo-style knives after the public outcry against the availability of such weapons. The Home Secretary told MPs that he would use an existing law to stop sales of weapons such as the £145 12-inch blade called The Vindicator — so long as a satisfactory definition could be devised to differentiate them from kitchen and other working knives. Mr Howard's pledge came during ill-tempered exchanges

over knives and other law and order issues, which have been highlighted since Frances Lawrence launched her personal moral crusade last week. He was clearly irritated by Opposition attempts to embarrass the Government over the issue, and he accused Labour of engaging in "absurd, trivialising gesture politics". But MPs on both sides detected a change of emphasis when he made plain that he was "in no sense reluctant" to use existing procedures to ban the knives. As soon as the Government had a definition of combat knives it "would not hesitate"

to use the procedures for banning them, he said; the only difficulty was the powerful one of finding a workable definition. Conservative MPs were in little doubt that a definition would be found. Under the 1988 Criminal Justice Act, orders can be brought forward banning offensive weapons and the law has already been used to outlaw 14 weapons including the knuckleduster, belt-buckle knife, "push dagger", "butterfly knife", the "kyoketsu shoge" — a length of rope fastened to a hooked knife — and the blowpipe gun used to fire hard pellets. Mr Howard

indicated that combat knives would be dealt with under the same provisions. Jack Straw, the Shadow Home Secretary, had waved a magazine at Mr Howard pointing to an advertisement for knives. He said there was a palpable difference between kitchen knives and combat knives, which had "no purpose whatever but maiming and killing people and should be banned". Mr Howard replied that the Government had been trying to come up with a satisfactory definition for some time. He promised to consider any suggestions Mr Straw might

have, but insisted: "We need specific suggestions for a definition, not party politics built on petitions." Labour sources later welcomed Mr Howard's approach and said the party would co-operate in efforts to define knives and "begin to take steps to undermine the knife culture". The former Cabinet minister David Mellor agreed with Mr Straw that a definition was possible and called for a spirit of sensible co-operation between the front benches. "Why are we having these 'Rambo side-swords', or whatever they are, being produced?"

They are being produced for one reason and one reason only: as a contribution towards the culture of violence which we have imported into this country by our unthinking acceptance of American entertainment norms." While Mr Howard expressed his willingness to ban combat knives, he continued to resist demands for a ban on all handguns and for Conservatives to be given a free vote when MPs debate the gun control Bill due to be published this week. Nevertheless, the Labour Chief Whip, Donald Dewar makes another appeal to the

Government to allow "freedom of conscience" on the issue of whether all handguns should be banned. Writing in The Times, he says that the only reason it is refusing a free vote is because it cannot stand the thought of defeat. "Without a whip their uneasy compromise between Lord Cullen's report and the pleas of the Dunblane parents may well be swept away." A free vote would help the reputation of Parliament and was the one way of resolving the issue that would be seen to be fair.



"To hell with the moral code — let's say the wolf blew it down"

Gun warning, page 8  
Leading article and  
Letters, page 17



Winds of 90mph whip up waves lashing the seafront in Bournemouth yesterday. More of Britain, from Cornwall and Wales to Kent, was affected than by the gales of 1987

## Day of gales makes it windiest October since 1987

By EMMA WILKINS

HURRICANE-FORCE winds swept across Wales and southern England yesterday causing widespread damage and traffic chaos in some of the worst weather since the great storm of 1987. Winds of up to 92mph were recorded at Mumbles, near Swansea, South Wales, as gales of storm force

11 to 13 swept down the Bristol Channel. Thousands of homes in Wales and the West Country were left without electricity after cable lines collapsed. Four people have died in the high winds, which are caused by the arrival from America of Hurricane Lili. Roads, bridges and rail and ferry connections around Britain were disrupted as householders were

warned to secure garden furniture and loose tiles. Although wind speeds were not as high as the 115mph recorded in 1987, a wider part of the country is affected from Wales and Cornwall in the west to Kent in the east. The London Weather Centre said: "Hurricane Lili has blown across the Atlantic and reinvented itself to bring us these high winds. This could be one of the windiest

Octobers since 1987." High winds in Cumberland, Westmorland and parts of Scotland were caused by a different weather system of northerly winds, the centre reported. Ferry crossings to France, The Netherlands, the Irish Republic and the Isle of Man were cancelled as wind speeds of up to force 13 were recorded off west and south coasts. Drivers were warned to take extra

care, especially on exposed roads. A woman was injured as she was waiting at a bus stop in Everton, Merseyside, when a double decker bus was blown into the bus shelter. A fisherman who was swept out to sea by a wave during force nine gales in Swansea was named last night as Paul Jones, 25.

Forecast, page 24

## Head to close school in row over tearaway

By JOHN O'LEARY AND PAUL WILKINSON

THE head of the Nottinghamshire school where staff are refusing to teach ten-year-old Matthew Wilson warned parents last night that he would shut the school this morning on safety grounds.

Manton Junior School, in Worksop, will be the first in Britain to close because of disciplinary problems. Bill Skelley told parents he could no longer safeguard their children. In a statement issued through the National Union of Teachers, he said closure was in the interest of the pupils. Yesterday Mr Skelley taught the boy himself after the governors decided that the school could no longer afford the £14,000-a-year cost of a supply teacher they had agreed to provide last month. But he said the arrangement could not continue and there was no alternative to closure. The dispute has been simmering since Manton's governors twice refused to sanction Matthew's expulsion for unruly behaviour. The seven

members of the National Association of Schoolmasters and Union of Women Teachers are threatening to strike tomorrow if individual tuition is not restored, or the boy moved to another school. Pamela Cliffe, Matthew's mother, has refused to accept a change of school.

The closure comes as education officials drafted in one of their most successful head teachers to take over at the troubled Ridings School in Halifax, West Yorkshire, where staff want up to 60 tearaways expelled. David Scott currently runs Calder High School, in nearby Mytholmroyd, where he has made the school the leading local authority comprehensive. He has been seconded to assist at The Ridings and last night was tipped to take over from Karen Stansfield, the present head, who resigned last week after complaining that the job had exhausted her.

Photograph, page 24

## Shoppers watch as rapists abduct girl

By ADRIAN LEE

SHOPPERS who watched and did nothing as a 15-year-old girl was dragged kicking and screaming from a busy high street into a car were condemned by the police yesterday. The girl's screams were ignored as she was taunted by three men, then abducted in

daylight. She was driven to a disused building site and raped repeatedly before being released 12 hours later. The girl was walking in King's Heath, Birmingham on Friday when she was pestered by the men, whom she did not know. She tried to ignore them but was hauled into the car and released four miles away, in Northfield, at 3.30 am the next morning. She telephoned for help from a callbox.

Detective Inspector Chris Woodbridge, who is leading the hunt for the rapists, said: "This was a horrendous attack on a lone young girl in broad daylight. She is extremely distraught and upset. She told us that a number of people saw her being pulled into the car... It's terrible that people just stood there while this young girl was fighting and kicking."

The police are seeking three Asian men in their twenties and want to trace shoppers who saw the gang, who were in a four-door car. Their victim lives in West Heath, Birmingham.

## Building society share hand-out

Alliance & Leicester, the fourth biggest building society, will distribute 250 shares worth a total of £1,000 to each of its 24 million members if its flotation proceeds.

Members must vote on proposals by December 5 or attend a special general meeting in London on December 10 to vote in person. The flotation is expected to go ahead at the beginning of next year. Page 25

## Times awards

The Times was named Personal Finance National Newspaper of the Year last night and Robert Miller, financial journalist on The Times, received the Personal Finance Journalist of the Year Award in the tenth annual awards sponsored by the Bradford & Bingley Building Society. Page 25

## Lights dimmed

Lights at London's West End theatres were dimmed in tribute to the Daily Mail theatre critic Jack Tinker, who died aged 58. It was the first such gesture since Lord Olivier died in 1989. Page 19

## London regains style crown as 'cool Britannia' rules the raves

By CAROL MIDDLEY AND DAMIAN WHITWORTH

THIRTY years after Carnaby Street was hailed the world's hippest thoroughfare, London has regained its crown as the most stylish city on the planet. Newsweek magazine yesterday devoted its front cover to London, "the world's coolest city", and paid homage to its recent culture explosion. A rapturous article described 1990s London as a "hip compromise between the non-stop newness of Los Angeles and the aspic-preserved beauty of Paris — sharpened to New York's edge".

But the news was met with derision by some of the city's self-appointed style gurus. David Lancaster, editor of *Eat Soup*, the food and drink magazine, pronounced Newsweek's choice of happening restaurants as "old hat". Ashley Heath, senior editor at the fashion bible *The Face*, said the magazine's choice of the best fashion designers merely told half the story.

American style watchers have been sent over in their droves recently to report on

the new phenomenon of "Cool Britannia". According to Newsweek writers Michael Elliott and Stryker McGuire, it is London's new mix of street cred, wealth and the high speed Eurostar which has helped to produce the boom. "London is happening because London is rich," they say.

Young Europeans are now able to make a day trip to London visiting the clubs and bars more easily than ever before. Of all French tourists in London, they say, 45 per

cent are under 25. Germans are more likely to speak English than French and so prefer to visit the West End than the Left Bank.

On the London club scene, which Newsweek estimates pulls in 500,000 people every Saturday, Heaven and The Ministry of Sound are singled out for special mention.

"Once a dull warehouse venue in a down-at-heel neighbourhood, now a massively popular global entertainment complex with its own record label, clothing line, cinema, a store in Covent Garden and a Benettonesque ad campaign," it says of the Ministry. "A dozen languages can be detected, barely, in the cacophony of music."

In contrast to the 1950s — "where you could not find a decent meal in the place" — London now apparently boasts "an amazing variety of international food".

The Café de Paris, Wagamama's, 192 Restaurant, Lisboa Cafe and the new



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# Fuss over Bill's parentage makes MPs miss the bus

WHEN I was a boy, public opinion was thought a volatile thing: fickle, ill-considered, whipped into storms as violent as they were short-lived. Wise MPs were there to pause and think things through. Our political class was the anchor.

This state of affairs has now been turned on its head. While Michael Howard, the Home Secretary, and Jack Straw, his Labour Shadow, yelled at each other for more than an hour yesterday, excited backbenchers squawking, snarling or squeaking their contributions, I calculated that omnibuses of the numbers 3, 11, 12, 24, 29, 53 and (on their way to Clapham)

77 and 88 would all have passed the House of Commons, most of them full. Had the passengers and crew of any one of those buses been invited to alight at Westminster, toss a coin, divide themselves into two teams, "Government" and "Opposition", then occupy the Commons Chamber; and had the MPs taken these passengers' places on the bus; then two things would have been certain. First, a more sensible debate on guns, combat knives and stalkers would have taken place in the Commons. Second, there would have been a riot on the bus. One of the first



**MATTHEW PARRIS**  
POLITICAL SKETCH

MPs' rows erupted within minutes and concerned whose stalkers' Bill should have been piloted through Parliament. Labour's Janet Anderson (Rossendale and Darwen) and her friends thought that, as she had tabled a Bill first, it should have been her Bill that the Home Office adapted into the required legislation. Michael Howard, however, wanted his Bill taken through to Royal Assent. He thought that her

Bill had contained so many mistakes that it would have been impractical to sort it out before the summer. Instead, he had thrown away her Bill and would start again, now, with his.

Mrs Anderson's Labour friends clucked and interrupted in her support. Mr Howard's Tory friends rumbled and chuntered in his. There was absolutely no disagreement between them over the

contents of the Bill: it was the question of which party would take the credit for it that enraged them. How much time would our bus passengers have thought it sensible to spend on this?

There was also a row about guns. Mr Howard accused the Liberal Democrats of claiming credit for the final shape of the Government's proposals, later deciding they did not like the proposals anyway. He accused another Labour MP (Peter Mandelson) of supporting the Tory position on guns before the Tories got there, whereupon his party had adopted a new position. Mr

Howard was angry at the sheer scale of Jack Straw's "sancimonious platitudes and squalid manoeuvring". These are supposed to be Tory preserves! Out-squaloured, out-sanctimonied and out-platituded, there was a note of jealousy in the Home Secretary's voice.

Discussion of the proposals themselves was hardly bothered with. What bothered MPs was who had adopted which position previously. How much time would our bus have wished to spend on this? Then came a row about knives. At the core of Jack Straw's case was something

he had heard a policeman say: "If they can get a man on the moon, I'm sure they can get a definition of a combat knife." This singularly fatuous remark might, one hopes, have failed to impress our more fastidious guest-legislators from the Clapham omnibus.

Besides, it was American scientists, not British MPs, who got a man on the moon. This sketch left the MPs in control of a bus. I doubt whether they got as far as Clapham.

Debate, page 8  
Donald Dewar, page 16  
Letters, page 17

## NEWS IN BRIEF

### Holiday village is approved in court

A £100 million scheme to turn 430 acres of Lymington Forest, near Hythe, Kent, into an environmental holiday village for up to 4,500 guests was approved in the High Court. Deputy Judge Nigel McLeod, QC, ruled that Oasis Park, to be built in an area of outstanding natural beauty, was properly given planning consent, in spite of objections. Objectors said the site dated from Roman times and was home to rare birds and insects. They are likely to appeal.

### Boys arrested

Three boys have been detained by police hunting a gang who hurled a concrete block on to a car on the M3, seriously injuring Simon Wilmoth, 23. The boys, aged 11, 14 and 15, were arrested at their homes and taken to Aldershot police station.

### Lèse-majesté

Britannia Airways is to drop its "Royal Service" concept after research showed that the word royal "no longer has any positive connections". The charter airline, part of the Thomson group, will develop "a more muted, gentle and lighter feel".

### Circus hopefuls

Acrobats and tumblers from across Europe descended on east London yesterday to audition for Cirque du Soleil, the Canadian circus which has secured a 12-year contract with Disney World, Florida. It hopes to recruit British talent for world tours.

### Neil's new job

The former editor of *The Sunday Times*, Andrew Neil, 47, who was born in Paisley, has been named editor-in-chief of European Press Holdings, which owns *The European*, *The Scotsman*, *Scotland on Sunday* and the *Edinburgh Evening News*.

### Police return

Two police officers who were dismissed after they failed to find the body of a woman in her overturned car have returned to their jobs. PC Robert McGhee and PC Shaun Timmons appealed to the Home Secretary after they were dismissed.

### Home takes seat

The son of Lord Home of the Hirsel took his seat in the Lords yesterday as the 15th Earl of Home. The former David Douglas-Home, 42, is expected to take the Tory whip. His father, a former Conservative Prime Minister, died last year.

## Two questioned over IRA attacks on Heathrow

BY STEWART TENDLER AND STEPHEN FARRELL

AN IRA suspect who drove a £22,000 Saab convertible car and dressed as a businessman was arrested yesterday by anti-terrorist detectives investigating the mortar attacks on Heathrow airport two years ago. A second suspect was arrested near by.

Armed police broke into the homes of the two men in Earls Court, west London, before dawn. Last night they were being held at Paddington Green police station while their homes were searched. They were being questioned about the mortar attacks and other activities.

The businessman was arrested at a one-bedroom ground-floor flat in West Cromwell Road. Neighbours said that he was in his mid-40s and drove an N-registration, green Saab convertible. The vehicle, bought from a Wimbledon dealer three months ago, was registered in a name different from that on the electoral roll for the flat. It was taken away for examination.

Neighbours said that the short, grey-haired Irishman had lived in the flat for more than a year and was usually seen in business suits and carrying a briefcase.

The second man, also in his 40s, was arrested at a flat in Warwick Road. Neighbours

were woken by bangs and saw police in bulletproof jackets running down the street with handguns drawn.

Kenji Mitsuhashi, 26, a Japanese student staying at an adjacent hotel, said: "I heard two loud bangs, it sounded like a gun being fired. Six or seven men went in next door with guns. Then I saw one man being brought out dressed in a white paper suit with his hands handcuffed behind his back."

Seth Kaye, 20, an American backpacker staying in a hostel opposite the flat, said: "There were ten police on the block and maybe another eight standing around and another ten or 15 patrolling the area and the side streets. It was a very quiet, very organised operation."

The mortar bomb attacks in March 1994 left Scotland Yard highly embarrassed. A dozen mortar bombs were fired at Heathrow airport in three separate attacks within five days. One landed on the roof of Terminal 4, which was crowded with thousands of passengers, and others narrowly missed parked aircraft, but none exploded.

In the first attack, four mortar bombs launched from a car parked at the Excelsior Hotel landed near the north

runway. Less than 30 hours later another four bombs were launched and landed just short of the south runway, near Terminal 4. They passed less than 40 yards from a parked Boeing 747. In the third attack four mortar bombs were fired and three hit the tarmac about 50 yards from 15 waiting aircraft. The final bomb landed on the roof of Terminal 4.

The attacks, and warnings of more bombs, caused panic among passengers and delayed many flights. Heathrow and Gatwick were closed for hours at a time. The Queen was undaunted by the IRA threats and was said to have ordered the captain of her RAF VC10 to land at Heathrow in the full knowledge that the airport was in the grip of one of the security alerts.

The arrests are the latest in a series since the end of the IRA ceasefire. In June a motor mechanic was flown from Northern Ireland to be charged in connection with the London Docklands bombing. In July police recovered a cache of explosives and charged eight suspects. Last month four men were charged with plotting to plant lorry bombs after raids in west London, during which one suspect was shot dead.



Clare Callaghan welcomed the inquest's findings that her husband, pictured below with their daughter Niamh, probably died through exposure to BSE-infected meat

## CJD death 'probably related to BSE'

A MAN who contracted Creutzfeldt-Jakob disease probably died through exposure to BSE-infected meat, an inquest found yesterday. Maurice Callaghan, 30, an engineer, died last November after a nine-month illness.

John Leckey, the Belfast Coroner, told the inquest that while he could not go any further than putting the cause of death down to the disease, he agreed with experts that it was linked to exposure to BSE. "But I believe it would be wrong for me to state that as a fact when the experts did not."

Professor James Ironside, one of the authors of new research linking the disease to BSE, said that in all probability Mr Callaghan's death was related, but there was as yet no direct evidence to confirm this. "We researchers are fairly confident that BSE is at the root of the new variant. In the light of new evidence it is most likely that it is linked to exposure to BSE before the official ban was introduced in 1989," he said.

Mr Callaghan's widow, Clare, told the inquest that her husband, had been a fit and healthy man and keen basketball player and had eaten red meat two or three times a week. She said that in the last stages of his illness her husband was unable to speak, had no idea what was happening around him, and needed continuous care.

After the inquest, she added that she hoped firmer evidence would soon be available to confirm the link. She welcomed the statements of Professor Ironside and joined the coroner in calling for a test for CJD to be developed as a matter of urgency. She said the family would need to discuss what action to take next.

No verdict was recorded: inquests in Northern Ireland end with a summary from the coroner of the circumstances and most likely cause of death.



## Hogg indicates readiness to go ahead with cull

BY CHARLES BREMNER IN LUXEMBOURG AND MICHAEL HORNSBY, AGRICULTURE CORRESPONDENT

BRITAIN appeared last night to be shifting away from its refusal to start the selected cattle cull agreed at the European Union summit in Florence in June.

Douglas Hogg, the Agriculture Minister, spoke of the possibility of implementing the slaughter, estimated at about 150,000 animals, after trying to put Britain's case, along with four other British ministers, in Luxembourg yesterday. "We haven't ruled out the cull and it may take place," he said. First, it was necessary to deal with the backlog of cattle aged over 30 months.

His words appeared to reflect a shift from the Government's view last month that findings about "mad cow" disease, thought to be linked to a strain of the human brain disease CJD, made the slaughter unnecessary.

The EU has been adamant that an end to the beef ban could not be considered until the slaughter was implemented, a view repeated by ministers in Luxembourg yesterday.

Britain wants the EU to have the embargo lifted from certified herds which have had no contact with BSE-infected cattle. These are mostly in Northern Ireland and Scotland. The European Commission has been encouraging Britain to adopt a regional

approach, and Ivan Yates, the Irish Farm Minister who chairs the EU agricultural council, said he thought the EU could accept a partial implementation of the selective cull in Northern Ireland.

But Britain is reluctant to accept a regional approach, which could provoke political trouble at home and set a bad precedent for the lifting of the overall ban. Michael Forsyth, the Scottish Secretary, said the push for Scottish and Northern Ireland herds was "not based on a regional approach. It is based on a United Kingdom approach."

Beef producers in Scotland and Northern Ireland have suffered badly from the closure of export markets and say they could meet the conditions for easing the ban without difficulty, unlike most farmers elsewhere in Britain. Of the mainly grass-fed herds in Northern Ireland, 93 per cent have never had a case of BSE. In Scotland, at least 85 per cent are uninfected by the disease. By contrast, nearly 60 per cent of herds in England have had at least one case of BSE.

Farmers in Scotland and Northern Ireland say they should be allowed to press ahead on their own with the cull, arguing that it would involve relatively few animals in their areas and is the only way to restart exports.

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AUTOSPORT 12/9/96

SEE PAGE 6

## ...CRISIS IN... CENTRAL AFRICA URGENT APPEAL FOR AID

What has been described as a 'tragic human river 25 kilometers long' is desperately fleeing the fighting in Zaire. Such is their panic that thousands of refugees are even returning to Rwanda, the country they fled only two years ago.

Innocent men, women and children who thought they had escaped the bloodshed now face misery again. With fear and desperation comes disease and starvation. Food supplies will last just five more days. The Red Cross urgently needs your help to provide vital food, clean water and medical aid.

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هكذا من الأصل



Sweltering start to visit that renews four centuries of contacts between Thai and British monarchs

# Queen welcomes shade of the royal parasol bearers

FROM ALAN HAMILTON IN BANGKOK

THE Queen began a state visit to the Keeper of the 24 Golden Umbrellas yesterday and was glad of the shade of six of them.

Accompanied by the Duke of Edinburgh, she stepped from her chartered British Airways Boeing 767 at Bangkok airport into sweltering humidity and temperatures in the low 90s, protected only by a bright lime-green silk dress and matching hat. The Duke carried a Panama hat.

As befits the world's longest-reigning monarch, King Bhumibol Adulyadej of Thailand maintains a large court retinue and elaborate ritual, including a brigade of parasol bearers. Their huge green canopies formed a protective tent over the monarchs as they met. The King, marking his golden jubilee, and the Queen, in the 45th year of her reign, greeted each other on equal terms with a handshake, and with the Duke giving the slightest nod of the head to Queen Sirikit.

The moment of high protocol was, however, imperfect. The aircraft had overshot its parking mark by a good 3ft, and there were two minutes of frantic readjustment to the steps and realigning of the red

The Queen and King Bhumibol exchanged lavish gifts in Bangkok yesterday. The Queen gave the King a sterling silver dish made by Stuart Devlin. Queen Sirikit received a Crown Derby tea service, and the couple also received an album of photographs from the Royal Collection. The Queen's gifts also included silver crystal claret jugs and an 1866 facsimile of an original Handel score of *Messiah*. The Thai Royal Family replied with a carving of trees and elephants, two bolts of green and blue silk, a silver water bowl of the type by Buddhist monks, and a silver and gold inlaid purse.

carpet before the Queen could set foot in a country she last visited in 1972, long before the Tiger economies of Asia were on the prowl.

Queen and King, accompanied by two hefty parasol bearers, moved off to inspect a guard of honour, while the Duke and Queen Sirikit retired to the shade of a small temporary pavilion. As the

national anthems were played, the shade brigade furlled their parasols as though presenting arms, stood to attention and left Queen and King exposed to five minutes of relentless sun.

The royal party finally moved with its parasol outriders to the welcome shade of the terminal building as 40 Thai girls scattered rose and jasmine petals at the Queen's feet. She seemed greatly charmed. There was then a high-speed motorcade into the city in the King's fleet of yellow Rolls-Royces: roads were briefly closed to allow their passage. Bangkok's chaotic traffic suffered a particularly bad attack of arteriosclerosis.

At a downtown ceremony, the Queen received the golden key of the city. Another squad of parasol bearers was on duty: this time their umbrellas were blue. Thai officials tried to explain the arcane differences between state and municipal umbrellas, but the matter was too complex to be rewarded with long attention.

As the Queen drove on to the Boromabiman Palace, an ornate riot of traditional Thai Buddhist architecture where she is staying, she passed under several of the golden



The King and I: The Queen and King Bhumibol lead the way, followed by the Duke of Edinburgh and Queen Sirikit and the parasol bearers

arches erected across main thoroughfares to mark King Bhumibol's jubilee, which gives the night-time city the appearance of Blackpool in the illuminations season.

Most of the Union flags lining the route appeared to have been replaced after a

spate of thefts by the city's youth who suddenly decided they were desirable souvenirs.

At a state banquet at Chakri Palace last night, the Queen recalled that in the 1990s King Chulalongkorn had struck up a long and friendly correspondence with Queen Victoria

and visited her at Osborne in 1897. After a subsequent visit to Edward VII in 1907, he noted that it must be pleasant to be a British King, "so long as one does not want to have too much of one's own way".

Contact in fact goes back much further, to 1612, when

English merchants presented the King of Siam with a friendly letter from James I. In those days the English were after trade. They still are. Thailand has the fastest-growing economy of all the Asean nations.

The Queen said that the two

countries must work even closer together to combat the menaces of drugs, terrorism and organised crime. The King, in reply, thanked her for doing the honour of visiting him twice in one reign.

Royal succession, page 8



Kizzie was described as weak-jawed and unaggressive

## 'Weedy' mongrel escapes pit-bull death sentence

BY RICHARD FORD, HOME CORRESPONDENT

A DOG that spent four years under threat of death after it was alleged to be a pit-bull terrier was freed by the High Court yesterday, having run up a bill of more than £12,000 for taxpayers.

The dog, called Kizzie, was ordered to be returned to its owner after two judges ruled that the destruction order issued by a stipendiary magistrate was an abuse of court powers. The owner, Jeanette Cragg, from Tottenham, north London, said: "I am angry that all this time and money has been spent trying to put to death a harmless animal."

Mrs Cragg, 58, had to pay the costs of experts who examined Kizzie to determine whether it was a pit-bull but the taxpayer will foot the kennel bill.

The animal was first seized in 1992 while being walked by a neighbour. A police expert decided it was a pit-bull but Kennel Club vets disagreed. Reports described Kizzie as "weedy" with a weak jaw and no signs of aggression.

Robin Allen, QC, for Mrs Cragg, said that her neigh-

bour had been charged under the Dangerous Dogs Act with having a pit-bull terrier in a public place but the case was dropped.

Kizzie was released to Mrs Cragg in 1994 but taken into custody again when the Metropolitan Police began new proceedings under a different section of the Act. In March 1995 the police won the destruction order.

Mr Justice Maurice Kay, giving the judgment yesterday, said: "It was wholly inappropriate and wrong to take the second proceedings." A rector's wife has been ordered to keep proper control of her "friendly" nine-stone dog after an attack on an elderly parishioner who went to the rectory bearing a Christmas gift. Brigadier Edward Davies-Scurfield, 78, spent a week in hospital after being bitten by the Newfoundland dog, owned by Sally Nicholson-Smith of Medstead, Hampshire. Her husband, the Rev Perry Nicholson-Smith, told Basingstoke magistrates that they deeply regretted the brigadier's injuries.

## Cab driver 'swerved into cyclist' after row

BY ADRIAN LEE

A CYCLIST died when a taxi driver deliberately forced him off the road after a dispute, the Old Bailey was told yesterday. Witnesses said they saw a black cab driven by Anthony Dickinson swerve violently to the left, causing Thomas Gedrich to lose control.

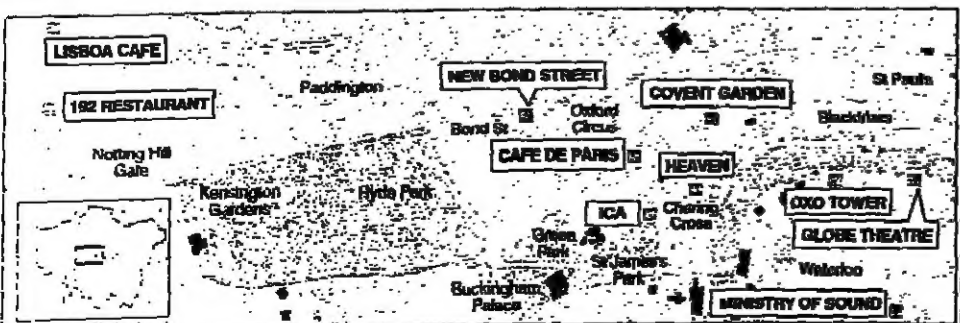
Stephen Holt, for the prosecution, said Mr Gedrich, 38, suffered fatal head injuries when he fell from his bicycle in Fulham, southwest London, on July 28 last year. Mr Dickinson, 36, sped away, he said. Mr Dickinson, from Wimbledon, denies causing death by dangerous driving.

Mr Holt said witnesses saw the pair arguing as they waited at traffic lights. They were speaking in raised voices but the reason for the dispute was not clear. The taxi and the cyclist eventually pulled away. Mr Holt said: "As they approached a zebra crossing the taxi suddenly and violently swerved to the left, causing the cyclist to lose control."

When Mr Dickinson was traced 24 hours later he admitted arguing with Mr Gedrich, from Islington, north London, but "emphatically denied" that he had deliberately swerved towards him. He accelerated to avoid further argument, unaware that the cyclist was injured. Mr Gedrich died in hospital soon afterwards.

Eduardo Grenell said: "Shouting attracted my attention. They drove off side by side for about 50 metres. They kept on shouting. The cab made a move towards the bike. They were both angry at each other. That is the reason I think he swerved. The taxi made no attempt to stop."

The trial continues.



## London regains style crown

Continued from page 1

Harvey Nichols restaurant in the Oxo Tower merit special mention.

London apparently knew it had really arrived two weeks ago when the fashion houses Givenchy and Dior decided to install the London designers Alexander McQueen and John Galiano as their top couturiers.

Rebecca Milton of the London Tourist Board said: "There is no doubt that London is booming again."

When tourists inquire about coming to London they are not asking just about the famous landmarks but about the nightlife and the music scene as well.

Andy Pemberton, deputy editor of the dance and club magazine *Mixmag*, said the Ministry of Sound was not London's premier club. "If you want to be really cool you should head for the best jungle music clubs," he said.

Mr Lancaster, of *Eat Soup*, was unimpressed with News-

week's choice of restaurants. "Apart from the Sugar Club most of the places they mention are pretty much old hat."

Mr Heath, senior editor at *The Face*, said of Newsweek's choice of fashion designers: "I would have mentioned half a dozen others."

Adding to London's status as the fashion capital, the leading fashion house Gucci announced yesterday that it had chosen Sloane Street in Knightsbridge to open its newest and largest store.

## HP's new NetServer E-Series means goodbye to the desktop PC server.

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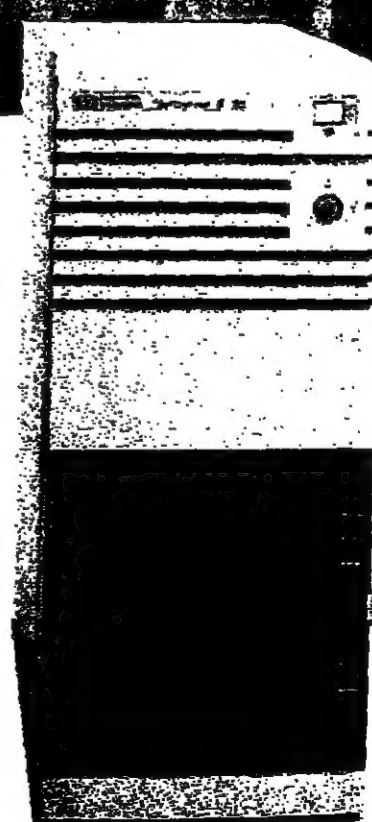
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## 4 HOME NEWS

Forum's statement on society's shared moral principles puts need for consensus first

## Code for schools omits marriage from core values

BY DAVID CHARTER, EDUCATION CORRESPONDENT, AND JOHN O'LEARY

EXPLICIT references to marriage in the proposed moral code for schools were omitted because of fears that they would hinder its acceptance.

The final report of the National Forum for Values in Education and the Community, seen by *The Times*, said its aim was to reflect the spiritual and moral values shared by "society as a whole".

It will be published on Friday by the School Curriculum and Assessment Authority, but Gillian Shephard, the Education Secretary, has already made clear that she wants more emphasis on marriage before it is sent out.

The forum considered aims and mission statements from 62 companies and schools before drawing up its own core values which children should learn. There are several references to the importance of the family, but marriage was not specifically promoted because "the forum had been set up... to identify the prevailing consensus on these matters within our society". Members felt that they could only achieve this by using "overarching statements on what we stand for, rather than focusing on the application of values to life or the sources of authority for

values, be they religious or cultural".

The statement of shared values for children to learn by heart, which is proposed in the areas of self, relationships, society and the environment, is followed by up to ten "principles for action" which are the ways youngsters can put theory into practice.

For example, actions arising from the shared values include "challenge values or actions which may be harmful to individuals or communities" and "obey the law and encourage others to do so" and "accept diversity and respect people's right to religious and cultural differences".

Marriage was not mentioned either in the main statement or the ten principles for action, which makes one mention of families: "We as a society should support families in raising children and caring for dependants." The lack of explicit reference to marriage led a dissenting group of five members to issue an additional statement.

Principles arising from values relating to self include "try to understand our own character, strengths and weaknesses", "try to discover meaning and purpose in life and how life ought to be lived"

and "try to live up to a shared moral code". To promote values centred on relationships, "respect the dignity of all people", "work co-operatively with others" and "respect the beliefs, life, privacy and property of others".

Environmental values could be furthered if children undertook to "justify development in terms of a sustainable environment", "preserve balance and diversity in nature" and "repair habitats devastated by human development". The forum also drew up tables of the way attitudes to values could be developed through teaching the four key skills called for by the CBI from schools: communication, improving learning, problem solving and working with others.

The document has its roots in an initiative begun by Nick Tate, the chief executive of the authority, when he said last year that too many teenagers treated morality as a matter of individual taste and teachers should be prepared to tackle issues such as the breakdown of the family and crime.

A national conference and demands for "a new ten commandments" to be applied in schools followed. The conference recommended the establishment of the national forum whose proposals will be published on Friday.

The 150 members were chosen to represent particular points of view and to bring relevant skills. Split into ten groups, they came from the teaching profession, religious groups, teacher training, the law, the media, parents and governors, researchers, "the world of work", youth workers and others such as the Citizenship Foundation.

The job of distilling the recommendations into the proposals was carried out by Barbara Wintersgill, the authority's expert on moral and religious education, under the direction of Dr Tate.

Leading article and Letters, page 17

A BREAKAWAY group opposing the proposed moral code for schools for failing to promote marriage is led by a single parent who brought up four children on his own.

Guy Hordern was invited on to the National Forum for Values in Education and the Community as a parent representative for his work as a magistrate and in helping to prepare a religious education curriculum for Birmingham schools.

Mr Hordern, a company director in his fifties, is the spokesman for the five forum members who refused to endorse the final draft disclosed by *The Times* today. He said his experience as a

single parent lay behind his view that the code should actively promote married life to children to reverse the growth of one-parent families in the next generation.

Mr Hordern single-handedly raised four children, now aged between 11 and 21, after the death of his wife, Helen, from cancer ten years ago.

This experience lay behind his view that it was vital to convince children of the value of a family created by a stable marriage. The five dissenters want an extra statement of values included alongside the four which children will be taught, relating to the self, relationships, society and the environment.

They proposed: "The family is the basic unit of social life and entering into a marriage and raising a family includes passing on spiritual, moral and cultural values. The home is the birthplace of these values and acts as an interface between self, others and the community."

It was expanded with principles for children "promote the value of heterosexual marriage" and "ensure children understand the need for sexual morality in life, the value of

Stacey Mason, 7, with a card offering advice for parents. Children are urged to learn a statement of values by heart

## Single parent leads dissenters who want to promote wedlock

BY DAVID CHARTER



Guy Hordern: widower who raised four children

chastity before marriage and of faithfulness in marriage".

Mr Hordern, who described himself as a regular churchgoer, said: "It is a biological fact that you actually only do have two parents, one male and one female, and there really is no alternative family which is going to provide a child with what they need to thrive and flourish to have the best possible chance in life."

"I know the single parent track from the inside and I have spoken to hundreds of single parents. I don't think a single day goes past when

from my experience and talking to others, one does not wish for either a wife, in my case, or a husband to share the responsibility of bringing up children. What single parents want is for another parent to be there."

"I think that not to be holding out marriage as an ideal is a fundamental betrayal of the next generation."

"I do not want to pull down single parents or to exclude them but to expose in a sensitive but realistic way the great shortcomings of bringing up children by a single parent."

The four other forum rebels are Parvez Butt, an executive member of the National Governors' Council; Mike Tyler, another parent representative and a former governor of Worthing Sixth Form College, and two representatives of the National Association of Governors and Managers.

Mr Butt said yesterday: "My beliefs are very much in accord with Catholic as well as Methodist values. I am a Muslim, we are tolerant. We, the five of us, don't want to marginalise people."

He added: "Too many people have a tendency to be politically correct and I do not subscribe to that."

## Town faces £7m bill for school, it does not want

BY IAN MURRAY

A LABOUR council may have to pay £7 million to build a grammar school that it does not want. The High Court yesterday backed a Tory county council's decision to build the first grammar school in 30 years in Milton Keynes, even though councillors knew they were about to hand over to the Labour council.

The town, which becomes an all-purpose unitary authority next April, asked the court to cancel plans for the 1,000-place grammar school agreed by Buckinghamshire in May last year. The town council's two Tory, one Independent, 30 Labour and 18 Liberal Democrat councillors unanimously opposed the scheme.

In his judgment Mr Justice Ognall said he had every sympathy with the strong feelings in Milton Keynes. "The bulk of the money will have to be footed by them and they feel this doubly painfully because they are being required to do something which is against their sincerely held political beliefs," he said.

However, he accepted the county's argument that it had a duty to take policy decisions and could not allow a power vacuum to be created simply because it was due to hand over functions. The judge rejected a claim by a former Tory county councillor that soundings of public opinion had been no more than a sham. The judge said there was clear evidence that consultation had taken place.

The town is seeking a further judgment on legal points it hopes can invalidate the county's decision and, if that fails, it intends to take the case to appeal. Before the school is built Gillian Shephard, the Education Secretary, will have to give a formal go-ahead. She has decided not to review the situation until after the court proceedings.

The judgment came as grant-maintained schools urged the Government to think again over plans to make them more like grammar schools. The Education Bill, which is to be discussed in the Commons today, would allow grant-maintained schools to select up to half their pupils and council-controlled schools up to one fifth.

In a letter to the Education and Employment Department seen by *The Times*, the Association of Grant Maintained and Aided Schools dismissed the proposals as a "mish-mash" that would reduce parental choice. John Edwards, honorary secretary of the association, said the Bill would lead to a diminution of choice for many parents and unacceptably long journeys.

## STATEMENT OF SHARED VALUES

A statement of shared values for children to learn by heart is proposed in each of four areas: the self, relationships, society and the environment:

■ Self: "We value each person as a unique being of intrinsic worth, with potential for spiritual, moral, intellectual and physical development and change."

■ Relationships: "We value others for themselves, not for what they have or what they can do for us, and we value these relationships as fundamental to our development and the good of the community."

■ Society: "We value truth, human rights, the law, justice and collective endeavour for the common good of society. In particular we value families as sources of love and support for all their members as the basis of a society where people care for others."

■ Environment: "We value the natural world as a source of wonder and inspiration, and accept our duty to maintain a sustainable environment for the future."

## "AN INSPIRED DRIVER'S CAR"

WHAT CAR? NOV 96

SEE PAGE 6

## College that lured US students goes bust

BY JOHN O'LEARY

A PRIVATE college exposed by *The Times* last year for recruiting overseas students who thought they were going to Oxford University has gone into liquidation with debts of tens of thousands of pounds.

Warnborough College, based at a country house outside Oxford, was established in 1973. Disputes over promotional material and facilities culminated in the withdrawal of American government support for its students. Forced to move into a church hall in June when 19th-century Yatscombe Hall was repossessed, the college closed entirely two months later, leaving only a forwarding address.

The president and senior staff at the college, set up to allow American students "an Oxford tutorial experience", have disappeared, leaving a string of creditors. Hertford College, Oxford, for example, is owed more than £5,000 for student accommodation booked over the summer.

Another of the college's creditors has hired a private detective to track down Dr Brendan Tempest-Mogg, Warnborough's founder and former president. He and his brother, Daryl, have gone home to Australia to be with their elderly mother.

Last November 15 American students walked out of the college, claiming that they had been misled into believing that it was affiliated to the university. They are now suing the college for recovery of fees of more than £13,000 a year.

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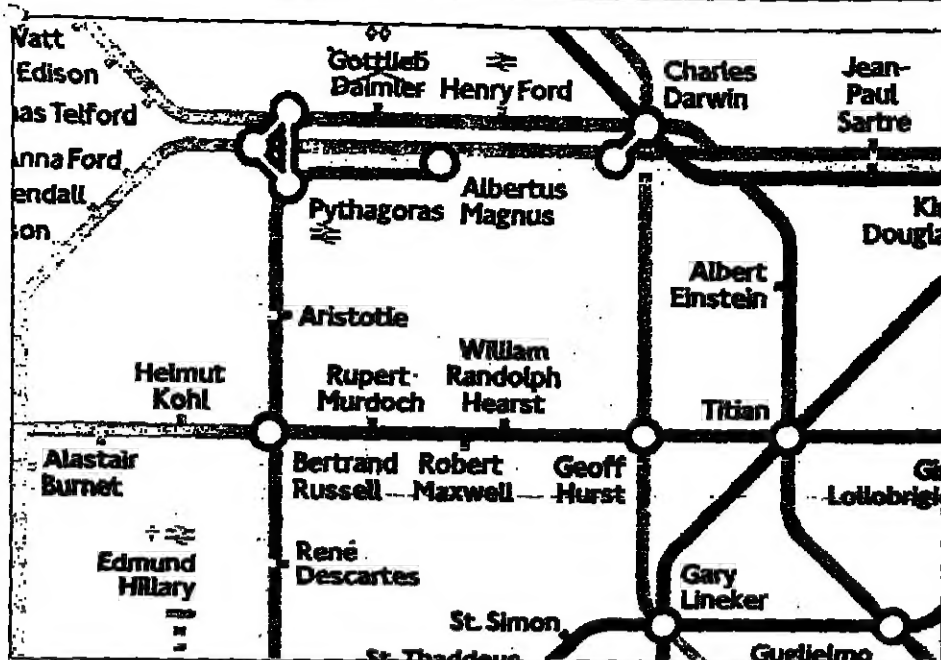
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OCTOBER 29 1996  
Town faces  
£7m bill  
for school,  
it does  
not want

## Let your mind freewheel, Tate Gallery tells visitors as works vying for £20,000 prize go on show



Simon Patterson's revised Underground map. A signwriter helped him to paint it

## Turner contenders crave open mind as well as open eyes

By DALYA ALBERGE, ARTS CORRESPONDENT

THE Tate Gallery urged visitors to keep an open mind yesterday as the work of the four Turner Prize contenders went on show, including a modified London Tube map and three yacht sails.

"Contemporary art is hard work," Simon Wilson, the curator of interpretation, said. "Let your mind free-

wheel. See what these things suggest to you. Up to a point, all readings are possible."

The curators sought to prompt some of those readings because the artists shortlisted for the £20,000 prize, Douglas Gordon, Craigie Horsfield, Gary Hume and Simon Patterson, are little known outside art circles. It was suggested that

Gordon's short video showing close-up shots of two arms wrestling on a bed could be interpreted as Christ's hand being nailed to the cross.

Hume's portrait of the model Kate Moss with her face blanked out suggested to the curators that "her beauty was too much for him" to capture on canvas.

the Underground map by Patterson, 34, which replaces station names with those of the likes of Tony Curtis, George Best, Aristotle and Guglielmo, was said to reflect the artist's fascination for information systems and diagrams. He had a signwriter to help him to paint it. London Underground refused to let him display it as a

poster because they thought it would confuse travellers.

The Turner Prize is awarded to a British artist under 50 for an outstanding exhibition in the past year. Previous winners include Damien Hirst. This year's finalists were chosen by a jury from 74 nominations, some by members of the public.

Gordon, 29, produces

work exploring perception: his exhibits include slowed-down clips from the 1930s film *The Strange Case of Dr Jekyll and Mr Hyde*. Virginia Button, exhibition curator, said: "By slowing film down, he forces you to read the film in a different way."

Horsfield, 46, is showing some of the photographs he produced over a three-year

period in Barcelona. Dr Button compared his shot of a packed dance-hall to a Bruegel crowd scene.

Mr Wilson found layers of meaning in the title of one of the works by Hume, 34. The study in green, called *Whistler*, hints at a female face. Mr Wilson said: "Hume plays on references to the artist of the same name."

Patterson's Tate display includes *Untitled*, a sculpture of three sails bearing the names and dates of literary figures. He sees the sails as the artist's blank canvas.

The winner will be announced on November 28 and the exhibition will run until January 12.

Visual art, page 33



Craigie Horsfield's photographs failed to grab the attention of one young visitor to the Tate yesterday. Photographs: Chris Harris

## Yardie gunman cleared of attempted murder after witness disappears

A YARDIE gunman was cleared yesterday of abducting a man and trying to murder him after the alleged victim fled rather than give evidence.

However, Ricardo "Rocky" Hinds will remain in prison because he was convicted and sentenced to life last month for

murdering a cocaine dealer. Judge Hawkins, QC, sitting at the Old Bailey, ordered not-guilty verdicts to be entered against Jamaican-born Hinds, 26, from Dagenham, east London, and James Dixon, 22, from Handsworth, Birmingham.

The two had been accused of trying to kill Carl Spencer in

Birmingham last Christmas Eve. Mr Spencer, 28, was taken from his home in Birmingham, driven to the Hill Top Golf Course in West Bromwich and shot in the back.

He was left for dead but a man walking his dog discovered him the next morning. After surgery Mr Spencer made a full recovery. He

told the police that Hinds and Mr Dixon were the gunmen. He said they had wanted him dead after they fell out over a woman.

At the start of the trial yesterday, where the security included armed police guards, Jonathan Laidlaw, for the prosecution, said that, in spite of extensive inquiries by West

Midlands Police, Mr Spencer had not been found. The prosecution formally offered no evidence against Hinds and Mr Dixon.

Ordering the not-guilty verdicts, the judge also lifted a news blackout on Hinds's conviction last month for the gangland murder of Patrick Degler, a crack cocaine

dealer. The trial was not reported in case the details prejudiced Hinds's second trial.

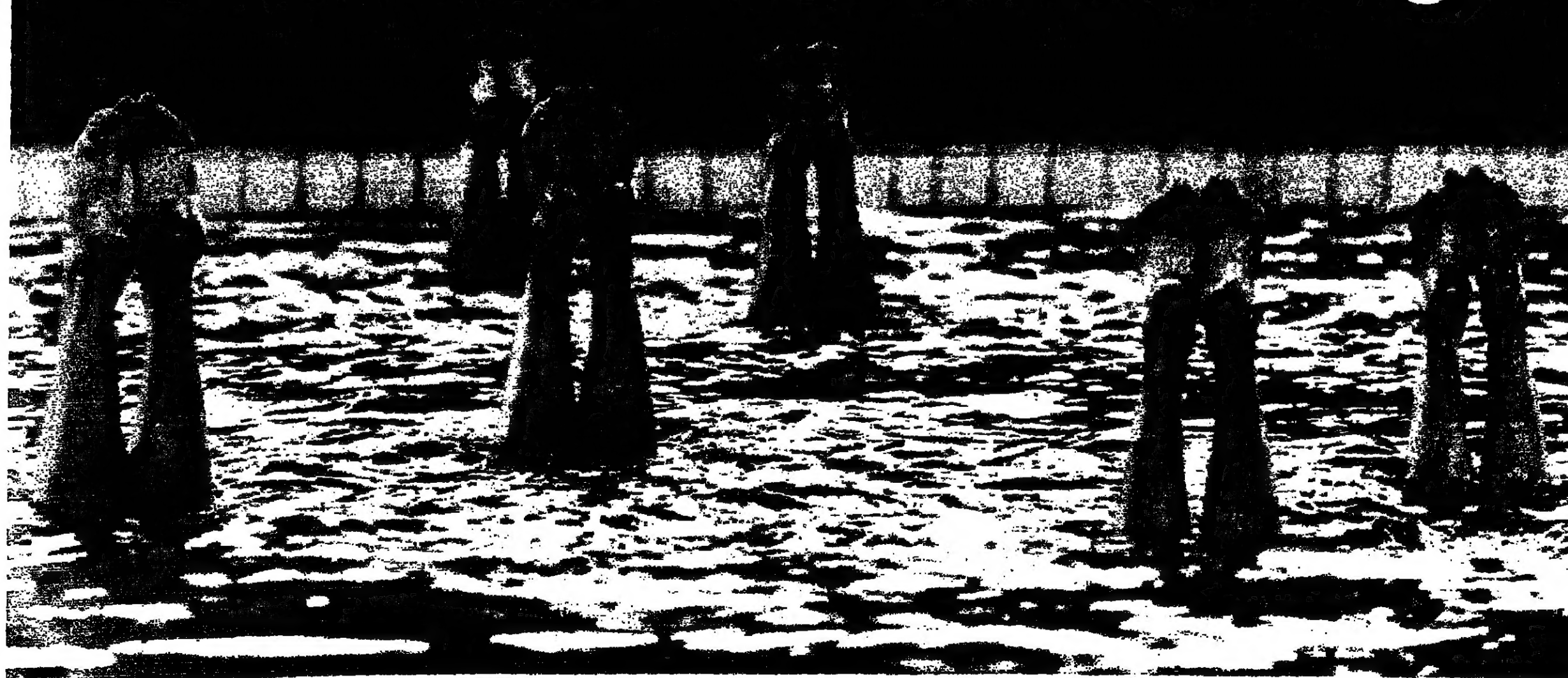
During the case the court was told that Degler, 28, died during a crack deal. Known among drug dealers as Dee or Brinks, Degler had travelled from Wolverhampton for the deal but he was double-

crossed. Hinds and an accomplice who has not been traced tried to rob Degler when they met on a stairwell off a north London street last January.

When Degler resisted they shot him through the heart with an Israeli .357 magnum Desert Eagle pistol.

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Tutor praises inspirational talents of Australian who was Oxford's leading try-scorer

## University rugby star dies after match tackle

REPORTS BY JOHN GOODBODY, SPORTS NEWS CORRESPONDENT, AND DAVID HANDS

A TALENTED Oxford University rugby player has died in hospital, a day after being carried off the field with neck and head injuries.

Ian Tucker, a 23-year-old Australian who was expected to win a Blue against Cambridge in December, was injured in a tackle during a match against Saracens, the first division club, at Enfield on Saturday. His father was watching the game.

Mr Tucker was Oxford's leading try-scorer this season and had been a member of the Australian under-19 team. Steve Hill, Oxford University's director of rugby, said: "He was probably one of the most all-round characters I have met at his age. If I had 14 others like Tuck, Cam-

bridge need not turn up at Twickenham."

It was the first fatality in the history of the university team, founded in 1869. Mr Tucker, a 5ft 11in, 14½ stone centre three-quarter, brought down a Saracens player four minutes from the end of Oxford's 33-3 defeat. He got up from among a mass of players but collapsed just before the final whistle.

He was given oxygen on the pitch and taken by ambulance to Chase Farm Hospital, Enfield, from where he was transferred to the National Hospital for Neurology and Neurosurgery in Bloomsbury. A spokeswoman said yesterday: "Sadly, he continued to deteriorate and he died at 7.15pm on Sunday."

Brian Morgan, administra-

tive director of the university rugby club, said that the medical precautions taken by Saracens had been "faultless". There were two doctors and a St John Ambulance member present. Police said that they were satisfied that no criminal offence had occurred.

Mr Tucker, who was born in South Africa, was an economics graduate from Sydney University. He worked in banking for two years before being accepted by Keele College to read for a one-year diploma in social studies.

Dr Ian Archer, his personal tutor, said: "He struck me immediately with his extraordinarily positive commitment to life. He was someone determined to get the most out of Oxford, both as a sportsman

and an academic. He was going to be an inspirational force on his fellow students and rugby team-mates.

"He was very charming and you could not help but instantly like him. He was a very committed player, and person, in whatever he did. His college thought very highly of him."

Mr Tucker's rugby ability attracted interest at Oxford last winter when he scored the winning try for Major Stanley's XV against the university. This season's fixture is scheduled for tomorrow at Ilfley Road, the university's ground in Oxford. Mr Tucker's family asked for the game to go ahead, and a minute's silence will be observed. His mother is flying from Australia and a memorial service is planned at the college on Thursday.

Speaking of Mr Tucker's rugby ability, Mr Hill said: "He was an extremely fit and strong young man and came top of all our fitness tests before our pre-season tour of Japan and Australia."

"He was very strong in the tackle and so robust that he often played like an extra forward. The team is devastated and I imagine one or two of them will be questioning whether to continue playing."

Mike Scott, Saracens team manager, said: "The club expresses its heartfelt condolences to Ian Tucker's family."

The Scottish Rugby Football Union is considering a minute's silence before Australia's match against Scotland A at Galashiels tomorrow.



Ian Tucker: his father was watching the match at which he was fatally injured

## Most dangerous of all sports has twice the injury toll of football

RUGBY union is the most dangerous of all sports played in Britain. Although deaths are comparatively rare, serious injuries are more common at all levels of the game than in any other sporting activity.

During the 1995 World Cup in which Max Brito, the Ivory Coast winger, was paralysed for life, a study was published in Britain which showed that rugby players were almost twice as likely to sustain injuries as

footballers. The survey, commissioned by the Sports Council, examined a random sample of 25,000 people aged between 16 and 45. It found that the most dangerous sports per 1,000 participants were: rugby union 145, football 79, cricket 62, martial arts 61, badminton 36, squash 29, tennis 25, horse riding 22, running 18, weight-training 14, keep-fit 9, and swimming 8.

However, only five players have died from accidents

while playing rugby union in England since 1984. During that period the rugby authorities have become increasingly conscious of the need to ensure greater safety during play. Initially law changes came about because of concern, mainly from the Southern Hemisphere, over an increasing number of neck injuries caused by collapsing scrums. But as the game has gained exposure that concern has spread to all areas.

## Claims assessors accused of exploiting accident victims

By FRANCES GIBB  
LEGAL CORRESPONDENT

ACCIDENT victims are the target of a new breed of "claims negotiator" who settle lucrative claims with insurance companies for large American-style contingency fees. In some cases, the negotiators or assessors go into hospital wards, touting for potential claims, and persuade patients to sign over permission to handle the case. Bryan Neill, a partner with Prince Evans, a firm of solicitors in Uxbridge, west London, said: "We have experienced claims assessors going so far as to walk into spinal

injury units and approach patients. In one case, when the patient said she wasn't interested, he pestered the person in the next bed and generally asked about to see if anyone else had had an accident."

The claims assessors — who can operate outside the rules that govern solicitors doing "no win, no fee" work — have alarmed the Association of Personal Injury Lawyers. Today they are raising their concerns with Gary Streeter, junior minister in the Lord Chancellor's Department, and beginning a poster and leaflet campaign. Caroline Harmer, the association's president, said: "We are very concerned that

accident victims, often as they lie in hospital or even in an ambulance, are prey to the unscrupulous."

The lawyers say that the claims assessors — who may not be legally qualified — are unregulated and unaccredited, and are employing the hard-sell marketing techniques which exploit the vulnerable. They advertise in hospitals, even in ambulances, and also pick up cases from insurance brokers, police or welfare agencies.

Those claims assessors who are not lawyers have no power to take cases to court or issue proceedings. The danger, the lawyers maintain, is that the settlements agreed may

fall short of what the accident victims should obtain.

The firms advertise their work on a no win, no fee basis and, typically, take one third or more of the damages recouped. Solicitors can double their fees in no win, no fee cases. But their "uplift" in fees should not be more than 25 per cent of the total damages awarded to the accident victim.

A spokeswoman for the personal injury lawyers' association said the firms could not arrange legal aid, "and they cannot take aggressive insurers to court. They are more interested in the rates of commission for themselves than in the

levels of damages for the victims."

In one case, a man from Sunderland agreed to give 30 per cent of his damages in a contingency fee agreement with a claims assessor. He subsequently discovered that he qualified for legal aid.

But the claims assessors accuse solicitors of whingeing because they are losing a share of their market and failing to use modern marketing techniques to promote their services.

Claims Direct of Bournemouth, — not the same as Claims Direct, which promotes personal injuries work on behalf of a national network of solicitors — is one of the

firms under attack by the lawyers. Nicholas Leigh, the managing director, said: "Almost 100 per cent of my clients are very satisfied. We use the same awards guidelines as do solicitors, and are hardly likely to undersell when we have a direct interest in the size of the settlement."

There was nothing wrong, he said, with making people aware of their rights and enabling them to bring a claim, adding that his firm did not approach patients in hospital. He said that solicitors sometimes ended up being paid both by the insurers and the victim.

No win, no fee, page 37

## Patient was approached while lying paralysed in hospital bed

By FRANCES GIBB



Gerard Mullins: was badly injured in car accident

GERARD MULLINS was lying in a spinal unit after a car accident which had left him quadriplegic when he was contacted by a claims assessor who wanted to handle his £1 million damages claim.

The assessor had been referred from Mr Mullins's motor insurance broker. He first wanted 15 per cent of any settlement in fees. Later, he reduced it to 7.5 per cent. Mr Mullins's mother signed the contract on his behalf. "I

thought this was the only way to do it," he said. Two years later, Mr Mullins, who had been a driver of construction diggers, was frustrated at lack of progress. More than a year after the accident, there had been no application for summary judgment, nor interim payment.

The Spinal Injuries Association told him that he should be seeing a solicitor and at that point he discovered that he qualified for legal aid. "When I raised this with the claims assessor, he told

me I needed legal aid like a man in a desert needs a lifejacket."

The case is now being handled by Bryan Neill, of Prince Evans solicitors, west London. "Not only had Mr Mullins not been advised that he qualified for legal aid, the claims assessors had had to instruct solicitors themselves to act for him, so court proceedings could be commenced. But they did not point out that he could have taken this step himself."

Mr Neill said that, in cases where there were catastrophic injuries, the

victim needed to be able to keep as much as possible of the damages. "In the present case, assuming damages of £1 million, the claims assessors would have intended to take over £88,000 — 7.5 per cent plus VAT and expenses they might have incurred."

Now Mr Mullins is being sued by the assessors for work done until he sacked them. "It's pure luck we did not go all the way down the road with it — I would have been far worse off," he said. "At least now I have interim payments, which helps the situation."

### NEWS IN BRIEF

#### Oasis to auction unwanted award

Noel Gallagher of Oasis is to auction his unwanted Ivor Novello songwriting award to raise money for the Swansea-based Christian Lewis Trust for children with cancer and their families. When Gallagher, 29, was named joint winner with Blur earlier this year he refused to pick up his award, saying it had been turned into a publicity stunt on the "manufactured rivalry" between the two bands. The telephone auction, on 0891 615477, will open tomorrow at 1pm and end at 1pm next Monday.

#### Teenagers killed

A girl and two friends died in a crash after she borrowed her parents' car. Nicola Rothwell, 18, was driving Sonia Twigg, 16, and her boyfriend, Daniel White, 15, at Hindley, near Wigan. Three other boys were hurt.

#### Ton-up driver

A driver with accumulated disqualifications of 99 years was banned for a further ten and jailed for six months at Chippenham, Wiltshire. John Ward, 53, of Woolwich, south London, was caught drink-driving on the M4.

#### £12m drug haul

Eleven people were arrested as cannabis worth £12 million was seized from the British-registered yacht *Fata Morgana*. Four men were held on the River Fal in Cornwall, and others in Bristol, Cheltenham, Hull and London.

#### Cleaned out

Two lorries carrying 1,000 vacuum cleaners that were stolen from a transport depot in Ossett, near Leeds, at the weekend have been found in Wiltshire, Cheshire, without the vacuum cleaners, which were worth £217,000.

#### Children die

The bodies of a young woman and her two children were found in a car at a house in Borrowash, Derbyshire. Police said no one else was involved in the death of Diane Larmour, 28, Matthew, 5, and Rebecca, 4.

#### Top dog price

A sheepdog has been sold at auction in Sennybridge, Powys, for £2,600, beating the previous record price of £1,650. David Meredith, a farmer in Dolgellau, hopes to enter Mirk, a two-year-old, in sheepdog trials.

#### Epic canoe trip

Steve MacDonald, 24, the first blind man to canoe around Britain, arrived in London and said he planned to raise more money for charity by cycling the length of Africa. He set off on May 15 with a sighted co-paddler.

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# Opera House dig reveals secrets of Saxon London

By Lin Jenkins

MUDDY excavations beneath the planned extension to the Royal Opera House have unearthed the hidden secrets of Lundenwic, the little known Saxon settlement.

The site, the largest and most important part of Saxon London ever examined, has revealed part of a town with a road, alleyways, houses, yards, workshops, drains and cesspits, complete with many artefacts covering 200 years from the mid-7th century.

A decade ago the precise location of Lundenwic, the most prosperous trading centre in northern Europe in its time, was unknown. Many thought it lay somewhere near the Roman settlement of Londinium, in the City. Remains were first found in 1985 in Covent Garden and later a gravel pit was discovered when the Sainsbury wing was built at the National Gallery in Trafalgar Square.

More than 50,000 fragments of bone recovered from the new site suggest a diet rich in beef, mutton and pork. Goose was favoured above chicken, oysters were common



How the Strand may have looked in the 7th century: timber, wattle and daub buildings later burnt down

and antlers were collected once shed from deer, rather than as a result of slaughter. The area appears to have concentrated on weaving, with a large number of loom weights recovered, although there is also evidence of smithing in the form of iron slag and hearths.

Archaeologists are two thirds through the scheduled 18-week dig before the developers move in and the site disappears beneath the buildings of another era. Taryn Dixon, head of operations at the Museum of London, which

is excavating the site, said: "It has revealed information about the townscape, of buildings with a variety of functions, and has the ability to tell us something about the people of Saxon London."

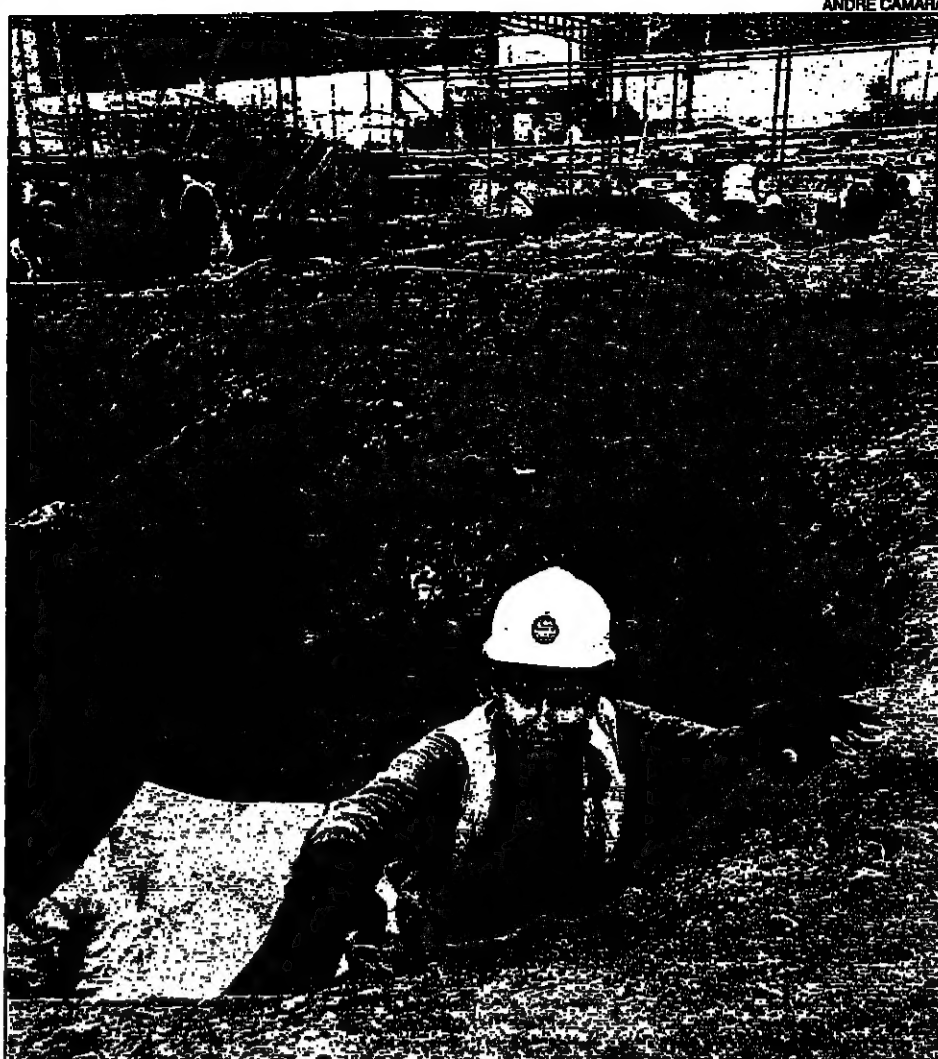
She said that individual features were insubstantial since the buildings had been built of timber, wattle and daub, with beaten clay floors and thatched roofs. However, careful examination revealed shadows where walls once stood before the buildings burnt down, and 11 different surfaces on the road where it

had been remodelled with gravel and pebbles.

"Where once there was a wooden plank you might now see a smudge or a shadow. It is very difficult to excavate, but it is the biggest piece of Lundenwic ever exposed, where before we have only had keyhole glimpses into it," she said. Precise dating of the artefacts will be carried out when the digging is complete. Parasite eggs found in the cesspits will also be examined for clues to the health of the inhabitants.

The discovery of a defensive ditch to the north of the site, dug in the 9th century when Lundenwic was thought to have been abandoned, suggests that the people might have been defending themselves from Viking raids before King Alfred insisted they seek the protection of the walled settlement in the City.

One of the most interesting single finds is a hoard of Northumbrian coins dating from the 840s. They would not have been legal currency so far south, prompting speculation that they might have come with Viking raiders, or with those fleeing them.



Archaeologist Hanne Rendall-Wooldridge scrapes through the mud which has revealed remains of a road, alleyways, houses and artefacts from Lundenwic

## Howard rebuked on role of watchdog

By Valerie Elliott

MICHAEL HOWARD, the Home Secretary, has been rebuked by MPs for reducing the power of the Prisons Ombudsman to question ministerial decisions.

A Tory-dominated select committee today comes out in support of Sir Peter Woodhead and believes that he should be able to examine administrative decisions taken by Home Office ministers. The committee rejected arguments put forward by Richard Wilson, Permanent Secretary at the Home Office, that Parliament and the courts were appropriate checks on the actions of ministers. They also believe that he should be given "unfettered access" to papers relevant to his task.

This public backing follows a series of disputes between Sir Peter and Mr Howard about the new remit drawn up for the position. Sir Peter believed the new terms represented a significant change and threatened his independence and reputation as an impartial investigator.

## Smokers can kick the habit with anti-depressants



### MEDICAL BRIEFING

DESPITE a huge government campaign to educate people about the hazards of cigarette smoking it is still common among the young, and it is noticeable that even affluent young women are not persuaded by the medical arguments.

In depressed patients the desire for a smoke is not only particularly strong, but also persistent. Other smokers may derive pleasure from the ritual of smoking and the oral gratification a cigarette provides, but for the depressed the pharmacological action is the draw; nicotine seems to give a few moments of relief from the tension they feel.

Although nicotine has never previously been shown conclusively to be an anti-depressant, two large research projects within the past six years have studied the use of anti-depressants to help patients to give up the habit, and they have proved a useful aid in some cases.

Recent research reported in the *Journal of Clinical Psychology* has investigated the effects of nicotine as a form of treatment for patients who are suffering from major depression. The severity of the patient's depression was carefully assessed and the patients were given nicotine patches rather than cigarettes. The experiment confirmed that nicotine is an anti-depressant. For as long as the patients were wearing their skin patches, detailed psychological testing showed that their

depression lifted to a greater or lesser extent.

Unfortunately, once the nicotine was discontinued the depression returned, whereas with anti-depressant drugs, if taken in adequate doses for long enough, there is a good chance that the mood may be lifted for some time. The nicotine patches had no long-term effect. The trial may well cast light on the reason a depressed and insecure adolescent smokes, for it shows that a cigarette is not only a useful prop to occupy the hands but that it also lifts the spirits.

Apart from this effect of tobacco smoking on depression, the slightly quicker thinking it induces, its beneficial effect on some inflammatory bowel conditions and a reported ability to delay the onset of some forms of Alzheimer's disease, all the medical news about smoking continues to be bad. Too many people of all ages still see the sole danger of smoking as lung cancer.

The lungs are not the only organs likely to suffer cancerous change in those who smoke; tobacco has a similar carcinogenic effect on the bladder and cervix, the oesophagus, mouth and larynx. In the formation of the oral and oesophageal cancers tobacco is particularly dangerous in those who are also heavy drinkers of alcohol.

THOMAS STUTTAFORD

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# Yeltsin strips his ex-bodyguard of military duties

FROM THOMAS DE WAAL IN MOSCOW

IN WHAT has become an extremely personal feud, President Yeltsin stripped his former bodyguard and close friend, Aleksandr Kozhakov, of all military duties yesterday in a decree issued from his hospital bed.

At the same time Mr Yeltsin cancelled all official meetings for this week because of what his spokesman, Sergei Yastrzhembsky, said was final medical preparations for his heart bypass operation.

Mr Yastrzhembsky said the cancellations had been made on doctors' orders because the pre-operative work to prepare him for surgery was in its "final phase". He would not say whether this meant that the operation itself, which has been provisionally been set for November, would happen next week.

Mr Yastrzhembsky said that another presidential decree was required to strip General Kozhakov of his rank. The threat of this added humiliation is now being held over General Kozhakov as he plots a new political career in

which he may be tempted to reveal more Kremlin secrets.

The order directed at General Kozhakov was phrased in unusually blunt language and signalled the culmination of a split between Mr Yeltsin and a man who used to be his closest confidant. It said that the former chief bodyguard was being sent into the reserves and would no longer be allowed on active service because he had made "numerous slanderous statements about the President and members of his family and disclosed official information".

Mr Yeltsin is said to have been especially enraged by a series of attacks on his daughter, Tatyana Dyachenko. Mrs Dyachenko played a leading role in the presidential campaign in the summer and is now an influential figure in the Kremlin.

She is a close associate of Anatoli Chubais, the new Kremlin chief of staff, who is an implacable political foe of General Kozhakov. The two of them are credited with persuading Mr Yeltsin to sack

General Kozhakov on June 20 after the first round of the presidential election.

According to one Russian reporter, General Kozhakov was the source of a leak in *Komsomolskaya Pravda* alleging that Mrs Dyachenko's son, Boris, now at school in England, was illegitimate. He is also believed to have been behind a report in the fiercely nationalist opposition newspaper *Sovetskaya Rossiya* that disclosed widespread irregularities in the funding of the Yeltsin election campaign.

General Kozhakov has said he hopes to stand for parliament in the vacant constituency of Tula. But his plans have already suffered a setback with the dismissal from the Kremlin of General Aleksandr Lebed, the security chief, with whom he was forging an alliance.

It has been a spectacular change of fortune for the man who used to be at Mr Yeltsin's side day and night and was once reckoned to be one of the half-dozen most powerful men in Russia. At the height of his

power Mr Kozhakov had the rank of both first aide to the President and federal minister, and as head of the Presidential Security Service commanded 12,000 men under arms and two divisions of tanks and artillery. The two

men came together in 1985 when Mr Yeltsin was made head of the Moscow Communist Party and General Kozhakov, then a KGB officer of the 9th Directorate in charge of guarding public figures, was one of his body-

guards. He ensured his loyalty by following Mr Yeltsin into political exile and worked without pay for the future President for two years.

□ Chechnya visit: Viktor Chernomyrdin, the Prime Minister, is expected to visit Chechnya "in the near future" for talks on the peace process and postwar reconstruction. The Interfax agency said Mr Chernomyrdin discussed his planned visit with Ivan Rybkin, Moscow's new envoy to Chechnya. (Reuters)



Aleksandr Kozhakov, left, in the days when he was still President Yeltsin's right-hand man and confidant

## Paris 'had talks with Corsican guerrillas'

FROM BEN MACINTYRE IN PARIS

A FUGITIVE Corsican separatist leader claimed yesterday that the French Government had held secret talks with nationalist guerrillas on the island and named five senior French officials who he said had acted as envoys.

François Santoni, the head of the Cuncolta Naziunale party currently in hiding in southern Corsica, also told the *Est-Republicain* newspaper that the Government had stage-managed a bizarre show of force by the 600 masked and heavily armed Corsican guerrillas held last January to announce a truce was carried out at the Government's behest because it wanted to show French voters that the group was popular and a worthy negotiating partner. M Santoni said.

The Cuncolta Naziunale is the legal front for the outlawed Corsican National Liberation Front (FLNC) - Historic Wing, the most extreme of Corsica's separatist groups. Yesterday the group claimed responsibility for 19 recent bombings on the island.

M Santoni's claims follow repeated French press reports alleging that the Government has conducted clandestine talks with the separatists in an effort to end 20 years of low-level violence. The rally, which featured on the front page of almost every French newspaper, prompted widespread anger since it appeared to have been condoned by police and resulted in no arrests.

The Government issued an angry denial yesterday, describing M Santoni's claims as "grotesque lies by a terrorist". M Santoni went into hiding last week after a four-month conviction for illegally carrying a firearm.

Alain Juppé, the Prime Minister, pledged to crack down on Corsican terrorism this month after the bombing of his mayoral offices in Bordeaux. M Santoni's allegations that top-level officials have been negotiating with the outlawed FLNC were timed to cause maximum embarrassment to the Paris Government.

## Bulgarian poll signals swing to Right



Stoyanov: leading in presidential race

A STRONG showing by a conservative politician in the Bulgarian presidential elections at the weekend suggests that Central and Eastern European voters are beginning to reject their left-of-centre leaders.

The election commission in Sofia confirmed yesterday that Petar Stoyanov - a lawyer and member of the dissident-rooted Union of Democratic Forces - was 17 percentage points ahead of his former Communist rival and in pole position for the run-off next Sunday.

The upset comes hard on the heels of a thumping victory for Vytautas Landsbergis in Lithuania. The 64-year-old former music professor, who led the independence struggle in 1990-91, found himself ousted by a former Communist in 1992 but is now staging a comeback. His

Voters are abandoning ex-Communists who fail to satisfy cravings for security from cradle to grave, Roger Boyes writes

Homeland Union beat the former Communists into third place on October 20.

Politics in the post-Communist world thus seems to be entering a third cycle. First, the old Communist regimes were toppled by loose coalitions of nationalists, liberal dissidents and economic reformers. Once in power, these alliances started to crumble.

Communists, who had remodelled themselves into social democrats, remained the best organised and best financed politicians. The former Communists still dominate the political establishments of Poland, Hungary, Slovakia and Romania as

well as Bulgaria and Lithuania. Even in the Czech Republic, the pro-Thatcherite Government of Vaclav Klaus has become dependent on the parliamentary support of the Social Democrats.

But the Left was no more a monolithic force than the anti-Communist parties, and it has begun to crack in the face of huge social problems. Above all, the failure of left-wing Central European governments to solve the question of unemployment - a post-1989 novelty - has disappointed and angered voters.

The former Communists retained some popularity because they represented job

security and an intact welfare state. But under their rule the gulf between the rich and the poor has grown wider and the former Communists are for the most part identified with the wealthy.

In Bulgaria, the break-up of the Left has been slow but distinct. If, as expected, Mr Stoyanov becomes the President of Bulgaria next week, it will be because even the reformed version of Communism has become synonymous with corruption. But for all his talk about the emerging "new majority" in the country, it is still unclear whether he can pull the country back from economic collapse.

No fewer than 14 banks have just been closed, and the need to escape poverty has driven 500,000 Bulgarians, of a population of 8.5 million, to consider emigration.

## German opposition forces budget debate

FROM ROGER BOYES IN BONN

THE German governing coalition yesterday caved in to an opposition demand for an emergency debate on the country's ballooning budget crisis.

Cabinet ministers resisted calls for Helmut Kohl, the Chancellor, who began a long Far Eastern tour yesterday, to return to Germany for parliamentary questioning tomorrow. But there was no mistaking the deep anxiety in government ranks.

The coalition of Herr Kohl's Christian Democratic Union (CDU) and the liberal Free Democratic Party (FDP) is looking more brittle than at any time since 1982, when he toppled the Social Democratic Party (SPD) Government. The arguments are fierce, prompt-

ed by Germany's attempts to cut public spending and stay on course for European monetary union, and its pledge to slash taxes.

"The budget has to be balanced without a single tax increase," Wolfgang Gerhardt, the chairman of the FDP, emphasised yesterday. In an interview with *Der Spiegel* news magazine, he spelt out the intention of his party to abandon the Chancellor if taxes are raised. Yet there is strong pressure within the CDU at least to increase petrol tax.

In Indonesia yesterday, the Chancellor was receiving regular bulletins from Bonn in the manner of a consultant waiting to be called to the bedside of an ailing patient.

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General Standard Survey 1992



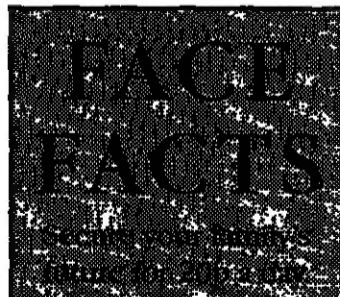
People spend more on insuring their car than their life.

CBS Family Dependence Survey 1990



One in six 30 year-olds won't live to see retirement.

CBS Annual Chance of Survival



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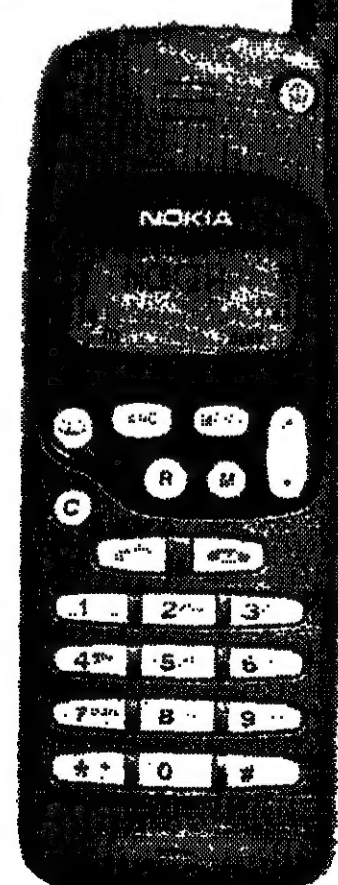
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# JOHN CHARCOI

[illegible]



## Invesco in US talks as profits soar

Invesco, the fund management group, reported a 21 per cent rise in third-quarter income to £173.2 million over the same period last year. Pre-tax profits in the nine months to September 30 rose 41 per cent to £48.5 million, with earnings per share up 39 per cent at 4.6p. Merger talks between Invesco and AIM Management, a US mutual management company, are continuing.

### LCR on track

London & Continental Railways, the consortium operating the Eurostar train service, has moved closer to a stock market flotation by appointing Richard Aitken-Davies as a director. Mr Aitken-Davies co-ordinated Railtrack's flotation. LCR hopes to float in 1998.

### Allen builds

Allen, the building group, has paid £2.2 million to try to buy the small plant hire and cabin hire businesses of its Vine subsidiary. The acquisition will strengthen Allen's Speedy Hire Centres.

### Boots

The interim results of Boots will be released on Thursday, November 7, and not Thursday, October 31 as stated yesterday.

### TOURIST RATES

	Bank	Bank
	Buy	Sell
Australia \$	1.12	1.13
Austria S	13.22	13.23
Belgium F	33.40	33.41
Canada C	2.08	2.09
Cyprus Cyp	0.778	0.779
Denmark Kr	8.96	8.97
Finland Mk	7.90	7.91
France F	6.67	6.68
Germany M	2.50	2.51
Greece Dr	369	370
Hong Kong S	13.06	13.07
Ireland P	1.16	1.17
Israel Sh	1.04	1.05
Italy Lit	167.10	167.11
Japan Yen	0.019	0.020
Netherlands Gld	2.887	2.888
New Zealand S	2.43	2.44
Norway Kr	10.50	10.51
Portugal Esc	205.00	205.01
Spain Ptas	16.63	16.64
Sweden Kr	11.23	11.24
Switzerland F	2.16	2.17
Turkey Lira	157.50	157.51
USA \$	1.708	1.709

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of business yesterday.



Taking it easier: Sir Graham Kirkham began share sales a year ago and his children have continued the operation

## Stake sale lifts DFS shares 21p

By FRASER NELSON

SHARES of DFS, the furniture company, jumped 21p to 558p yesterday, as the 20 per cent stake of the company formerly belonging to the children of Sir Graham Kirkham, its founder and chief executive, was placed in a receptive market.

Market-makers said the placing had relieved an overhang since DFS first announced the sale with its full-year results two weeks ago.

Sir Graham's children have raised £116 million, after NatWest Wood Mackenzie placed 21 million of their shares at 553p each. The family still has the largest holding, at 10 per cent. Sir Graham raised 328p per share when he started to sell his family's 52 per cent stake last October, raising £74 million. The shares, up to 590p since, closed at 554p yesterday.

# Decline of full-time work to continue, says forecast

By PHILIP BASSETT  
INDUSTRIAL EDITOR

BRITAIN'S employers will create virtually no new full-time jobs during the next ten years, according to new government-funded employment forecasts today. While the forecasts suggest that a continuing rise in part-time work and self-employment will add 1.5 million jobs, almost none will be full-time jobs with employers.

The forecasts indicate a continuing move in the UK labour

market away from full-time employment — a shift that has greatly increased feelings of job insecurity at work. It is likely to be a significant factor in the coming general election.

Research work funded by the Department for Education and Employment and published today by Business Strategies, a regional economic consultancy with close links to the Treasury and the CBI, says that, of an estimated 1.5 million new jobs during the next ten years, about half will

be part-time and half self-employment.

Full details of the work will be announced at a conference in London next month, but Business Strategies says today that, of the 770,000 jobs likely to be created during the next decade, almost all — about 725,000 — will be part-time.

With women dominating part-time employment, and a rise in women's share of self-employment from 25 per cent now to 27 per cent in 2006, the study says that "women will

capture two thirds of the total growth in work", though it says too that most of the new jobs will be in areas such as bar work, child care and shopwork.

More men will work part-time for employers, the study also says — up from 1.3 million now to 1.5 million.

Business leaders see growth in self-employment as a clear response to trends such as job shedding. Dr Neil Blake, BS research director, says: "With employers creating almost no extra full-time jobs, 790,000

people will opt for self-employment between now and 2006.

This enterprise activity is a positive response to the downsizing, contracting-out and restructuring seen in many UK firms, which is by no means complete."

The BS report, *Occupations in the Future*, says that the fastest rise in employment will be for professional workers such as lawyers, accountants and doctors. The number of managers will increase by 400,000 to 4.6 million, while the largest increase in self-employment will be among new highly skilled workers such as designers or computer programmers.

The fastest decline in jobs will be among farm labourers and skilled engineering workers, and employment seems set to fall among secretarial and clerical staff and for production workers.

But Richard Holt, BS director, says that the extra jobs will do little to bring down registered unemployment, which the study says will fall only 131,000 net over the next ten years to 1.99 million.

Pennington, page 27

## CBI's two-tier shares plan derided

By JASON NISSE

A MEMBER of the Confederation of British Industry's smaller quoted companies working group has described the CBI's proposal to re-open the debate on non-voting shares as impracticable.

Katie Morris, the chief executive of Cisco, the small companies lobby group, said that she was not particularly com-

fortable with the proposal, which she said was a minority view of the group. She added: "For a practical point of view, institutional investors are simply not interested in non-voting shares. We did not think this suggestion was going to be practicable."

The suggestion, proposed by the 13-person committee, has met derision from institutions, which have long

argued against two-tier share structures.

Roger Regan, investment director of the Association of British Insurers, said the association, which represents many of the UK's largest investors, put a code of practice in place in 1989 which opposed non-voting shares. "The problem with non-voting shares is that shareholders have no means of registering their

dissent when a management may be failing to perform," said Mr Regan.

Pir, the corporate governance consultant, has also registered its opposition to the proposal. Yesterday, institutions joined the protest. "An investor in ordinary shares is already in a weak position," said one fund manager.

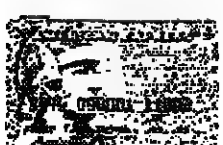
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## MasterChef deals are cooking

By NOEL FUNG

THE popular cooking programme MasterChef will soon be screened to viewers in the US, Australia and New Zealand as West 175 Enterprises, the Californian television producer that recently joined AIM, explores ways to cross-sell cooking programmes in different countries.

West 175, specialising in cookery and lifestyle programming, has signed up the format rights from Union Pictures Limited for the programme which is believed to draw 8 million viewers every Sunday afternoon.

West 175 has also sealed a screening and licensing deal with Carlton Communications' new food channel and has appointed J H Chapman Group, a US-based restaurant investment banker to find a multi-unit operator to develop Cucina Amore theme restaurants in the US.

## Greycoat calls meeting

By JASON NISSE

GREYCOAT, the property company, is to hold an extraordinary shareholder meeting on November 14 to put proposals that it should sell its entire portfolio and liquidate the company.

The motion is being put by UK Active Value, the fund run by Brian Myerson and Julian Tregler, the South African investors. It is the culmination of a long-running row between UKAV and Greycoat over the running of the group.

The two have also threatened to put forward a similar motion at Kenwood, the home appliance business. However, Kenwood said yesterday that it has heard nothing from UKAV since meeting its principals a fortnight ago.

UKAV has a stake of 9.2 per cent in Kenwood and says that the company would fare better as part of a larger group.

Tempos, page 28

## BUSINESS ROUNDUP

## TV groups dispute CIA media spending

YORKSHIRE-TYNE TEES and three other television companies are suing CIA Group, the leading media buyer, in a dispute over advertising spending. Yorkshire-Tyne Tees, London Weekend Television, Granada and Border are seeking a total of nearly £1 million because of an alleged shortfall in spending by CIA's clients. The broadcasters say that CIA Mediatech UK failed to meet an obligation to deliver a certain share of its clients' advertising spending.

Although the TV companies will honour existing airtime bookings, they are threatening to withdraw CIA's credit listing and agency commission payments unless the dispute is resolved by the end of the year. The broadcasters said they are fully committed to pursuing the legal action and are confident that it will succeed. Yorkshire-Tyne Tees claims to be owed £785,000, while LWT believes CIA should pay it £115,000. CIA disputes the shortfall in advertising spending.

## USA Network dispute

SEAGRAM and Viacom have renewed their court battle over the division of USA Network, a \$1.7 billion cable television joint venture, after negotiations over an out-of-court settlement collapsed over the weekend. The two sides, who want to dissolve their joint venture, disagreed over how to divide up the cable company. Viacom wants to buy out Seagram's MCA subsidiary, but MCA is reluctant to sell its main foothold in the US cable market. MCA is now suing Viacom, demanding that it should shut down cable stations that compete with USA Networks or sell its holding in the joint venture to MCA.

## Addison to sue Gas

ADDISON, the design group, is suing British Gas over its use of the Goldfish branding for its newly launched credit card, the Goldfish. Addison claims that the British Gas Goldfish image infringes the trademark that it uses for its own company. The design consultancy has been using the Goldfish trademark since 1988. It is claiming compensation over use of the fish for the card, which is currently being marketed to the public via a £10 million advertising campaign. British Gas said it is happy that it has not infringed rules about the trademark and it will be contesting the case.

## Rolls-Royce power deal

ROLLS-ROYCE, which is close to selling its steam generation business, yesterday sealed an order that could deliver £25 million worth of work for power station burners. International Combustion, Rolls-Royce's offshore based in Derby, is to convert up to four coal-fired units at a Portuguese generator. Companhia Portuguesa de Producao de Electricidade has ordered conversion of one unit to make it a low-nox burner with options on three others. Conversion of the burners will more than halve the emission of nitrogen oxides by Sines power plant.

## Castle goes shopping

CASTLE MARKET HOLDINGS, which is jointly owned by Jermyn Investment, yesterday purchased the Stillorgan Shopping Centre in Dublin from the Bank of Ireland Pension Fund for £145 million. Stillorgan was the first purpose-built shopping centre in Dublin and currently produces annual rents of £3 million. Castle Market aims to extend the retailing area and to improve car parking facilities. Castle Market was formed in 1994 as a joint venture between Jermyn and Treasury Holdings to acquire a 14-strong portfolio from Irish Life for £46 million. Shares in Jermyn closed down 3p at 148p.

## Autif 'pre-listed' plan

THE Association of Unit Trusts and Investment Funds (Autif) has recommended that unit trust managers should include "pre-listed" equities within the 10 per cent limit for holdings of unlisted securities. Pre-listed stocks are companies that have announced plans to seek a stock market quotation within the next year. The Autif announcement yesterday follows concerns raised by the recent Morgan Grenfell affair over the numerous unlisted investments held in three of its European funds. The Autif code will be extended to the new-style open-ended investment companies due to be on sale from next spring.

## Cathay Holdings slips

CATHAY INTERNATIONAL HOLDINGS, the Bermuda-controlled Chinese property company listed in London, saw pre-tax profits decrease 29 per cent to £1.69 million on turnover of £13.3 million (£12.7 million) in the six months to June 30 as competition intensified for its main Peking hotel, the Xiyuan. However, lower tax and minority interests left earnings of £357,000, or 0.13p per share, up from 0.07p a year ago. No ordinary dividend is paid because of inherited arrears of dividends on preference shares, which the company eventually hopes to redeem.

## Hotelier in court

ROGER FARR, 44, an hotelier, appeared before Torbay magistrates in Devon yesterday in connection with an alleged £1.5 million timeshare fraud. Mr Farr, whose address was given as 3421 Guilford Drive, Sarasota, Florida, but also as care of the Heritage Hotel in Sheddon Hill, Torquay, is charged that between January 1, 1990, and May 9, 1995, in Torquay he was knowingly a party to the carrying on of a business, Advance Leisure (UK) Ltd, with intent to defraud creditors of the company, or creditors of any other person, contrary to Section 458 of the Companies Act 1985. He was remanded in custody for a week.

## LEGAL & PUBLIC NOTICES

0171-782 7344

### LEGAL NOTICES

BROOK FARM COOKED MEATS LIMITED

Registered Number: 2797443.  
Notice of Business Winding-up of the Liquidator of the above named company is hereby given. The Liquidator is Mr. J. H. Chapman, of 30 Eastbourne Terrace, London W2 2EF.

NOTICE OF BUSINESS WINDING-UP

Notice is hereby given that a meeting of the creditors of the above named company will be held at the offices of the Liquidator, Mr. J. H. Chapman, of 30 Eastbourne Terrace, London W2 2EF, on 13th November 1996 at 12.00 noon for the purpose of providing for in Section 98 of the Insolvency Act 1986, that a meeting of the creditors of the above named company will be held at the offices of the Liquidator, Mr. J. H. Chapman, of 30 Eastbourne Terrace, London W2 2EF, on 13th November 1996 at 12.00 noon for the purpose of providing for in Section 98 of the Insolvency Act 1986, that a meeting of the creditors of the above named company will be held at the offices of the Liquidator, Mr. J. H. Chapman, of 30 Eastbourne Terrace, London W2 2EF, on 13th November 1996 at 12.00 noon for the purpose of providing for in Section 98 of the Insolvency Act 1986, that a meeting of the creditors of the above named company will be held at the offices of the Liquidator, Mr. J. H. 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□ CBI's plans will not find favour with investors □ Gallic pride to the fore at Thomson □ Deal beckons for Northern

## The underclass of non-voters

□ NON-VOTING shares are neither illegal, nor immoral, nor even especially fattening. They are merely unpopular — with shareholders, and with directors themselves. They have been gradually shuffled off the corporate stage in recent years as company after company has come to appreciate their disadvantages.

Now the Confederation of British Industry has suggested that smaller quoted companies should be encouraged to issue non-voting equity to avoid having management control being diluted by new investors. The City has reacted with outrage at the idea of creating an underclass of less powerful investors.

Both sides are overreacting. The CBI speaks for business, whose interests inevitably will not match those of investors. The paper concerned, on the future of smaller companies, has plenty to say against the mass of time-consuming bureaucracy that executives must live with. Fair enough; regulation is never popular with the regulated.

Non-voting shares are now very rare: slightly more common are split share structures that confer more voting rights on the holders of one class of shares, those held "inside" by incumbent management and/or family, than are granted to the majority of shareholders who hold the

other class. Most have been swept away from within because they made it almost impossible to raise fresh capital.

The CBI has identified a real problem, the equity gap that faces the small entrepreneur trying to get a business off the ground. Debutantes on the stock market, especially if they are quite small, are in for a rude shock. For a start, there is widespread indifference to the arrival of a new tiddler in the pool. Few enjoy handing over their business to outside investors who will not cherish it as they do. The same is true of bringing in venture capital providers, because these too will want a stake — and the rates of return they want, and the day-to-day control they exercise, may be far more demanding than the needs of the stock market.

The City is being a little disingenuous in claiming that one would buy non-voting or restricted voting shares, because the City will buy anything if the price is right and the risk is clearly labelled. No one is issuing new non-voters because the discount to the full share price

would be so huge, or to put it another way, the cost of the dividend needed would be so high by comparison with the price of the new shares, that the fresh capital would be prohibitively expensive.

The difficulty is in managing the expectations of those entrepreneurs. It is no good dreaming up new and wonderful forms of equity for them, such as participating loans, various preference stocks, and so on, to square the circle. Better for all those involved, including the CBI, to accept that they cannot keep control and expect investors to run all the risk.

### French folly and foreign investors

□ IF A senior executive of Daewoo, the Korean conglomerate, was offering to invest £2.5 billion to create 5,000 British jobs, one suspects that ministers would take his arm off at the elbow. There would certainly be plenty of fat subsidies on offer.

In France, national pride counts for more than self-interest, it seems. The French Government is under pressure to abandon the sale of its state-owned consumer electronics firm, Thomson Multimedia, to a Daewoo subsidiary. Unions, opposition parties and industrialists have condemned the sale. There have been the usual Gallic strikes and demonstrations, and ministers are quietly touting around for a last-minute French-led bid.



Daewoo's offer is part of a package that will see Thomson CSF, the defence electronics business, sold to the Lagardere Group, owner of Marna Defence. The privatisation of Thomson was to end decades of ingrained protectionism, except that things have not quite worked out that way.

No one minds the creation of what will be known as Matra-Thomson because this is an all-French affair. Daewoo's proposals would mean that the Koreans taking on Fr4.8 billion of Thomson's debts, investing Fr13 billion and creating 9,000 jobs, more than half of them in France.

But with Thomson Multimedia, whose total debts run to Fr15 billion, due to receive a large slice of the Government's Fr11 billion recapitalisation of Thomson, there have been accusations that Daewoo is getting too sweet a package.

The only Gallic alternative on the table is from Alcatel, whose bid to take over the whole of Thomson was turned down. However, the French Finance Ministry has been at pains to stress that it has only expressed a "preference" for Lagardere and Daewoo, with the final decision to be taken by the independent Privatisation Commission within two months.

One option could be the sale of Thomson Multimedia to Alcatel, with Lagardere buying Thomson CSF as planned. Yet even the

French Finance Ministry accepts that playing the patriotic card would look bad to other potential overseas investors.

### Winning the day with politeness

□ ONE hopes the American investors who have just restarted the utilities bidding wars have been properly briefed on the peculiar British practice of putting in a sighting shot and holding their proper and agreed offer until later. The signs are that they have. The Americans are being polite about Northern's management — more polite than some analysts, as it happens. This leaves the door open for an eventual kiss-and-make-up, not a course open in the Trafalgar House bid for Northern in 1994, where there was bad blood from day one.

They have been talking in private with Northern, allegedly at around the £7 level. Northern says this is a minimum, but in truth it is about what the company is worth, representing an earnings multiple of about 11.

Most of the good news from Northern is in the share price, in terms of cost-cutting to come, and the profits profile going forward is quite flat. The Americans clearly thought they could shave a few pence off the price, and who can blame them? Pitch the hostile preliminary at 630p and put in a final offer at somewhere south of seven quid.

This does run the risk of allowing a white knight to step in and bid, but Northern has languished unfancied as half the other regional power companies have been snapped up. The Americans must have thought it a risk worth running. This is not going to be a rerun of the "scorched earth" battle of Trafalgar, because the £540 million in special dividends that had to be paid out then meant there is no more earth left to scorch.

### Beef beef

□ BRITISH consumers searching vainly for beef from certified BSE-free herds at their local supermarket will be agitated at plans to secure EU permission to export only such prime Scotch or Ulster produce. Should the plans unexpectedly succeed, consumers could guarantee that little of the best beef would be on sale in Britain. But they might finally find a description they could trust: "export quality".

## Investors take cash on death of Kepit

By CAROLINE MERRELL

THE overwhelming majority of the 70,000 investors in the £500 million Kleinwort Benson European Privatisation Investment Trust (Kepit) have opted to take cash rather than roll their holdings over into unit trusts offered by Kleinwort Benson or M&G.

About 80 trust investors attended the meeting held yesterday in London to vote on its future. Other investors voted by post.

Ninety-nine per cent voted in favour of winding up the trust, 80 per cent opted for cash, while 20 per cent chose to reinvest in either the M&G European unit trust, or a unit trust offered by Kleinwort Benson that will follow the same theme as the investment trust.

Kleinwort Benson will be

offering investors who opt for cash 106.4p per share — this compares with the 100p per share they paid when the trust was launched nearly three years ago. Ben Siddons, chairman of Kleinwort Benson's investment trust arm, said he did not think that liquidating many of the holdings in the trust would create any problems. He added: "We expected that the majority of investors would go for cash. It is a shame because the market for privatisations is picking up in Europe, there is a huge amount of interest in the Deutsche Telekom offer, for instance."

The winding-up vote is the final chapter in the troubled history of the fund. It initially attracted a huge number of investors, many of whom be-

lieved that European privatisations would follow the same pattern as UK privatisations. They thought that shares would move to an instant premium in the same way as most UK sell-offs. Unfortunately, the trust immediately moved to a big discount.

Pressure began to mount on the Kepit board to try to reduce the discount. The decision to wind up the trust came after a hostile bid from Touch Renmant's European Growth Trust (Treg) failed. A move that is believed to have cost Treg £5 million.

Shane Ross, Kepit chairman, claimed the decision was a watershed in the history of investment trust management, and underlined the independence of the Kepit board.

## UniChem restates bid attractions

By ALASDAIR MURRAY

UNICHEM, the retail chemist company, told Lloyds Chemists' shareholders yesterday that its renewed offer provides the same long-term attractions as when it first bid for the company at the beginning of the year.

UniChem has made a new bid worth £658 million for Lloyds after gaining clearance from the DTI earlier this month. Both companies are still waiting to see if Cehe, the German retail chemist, will also re-enter the bid battle.

UniChem, whose chief executive is Jeffrey Harris, said it believes the combination of the two companies would create a market leader in healthcare retailing and distribution in the UK.

It added that it is well placed to deliver cost savings of more than £15 million in the first year, rising to £20 million and



Harris: confident

was confident that the acquisition would be earnings enhancing.

UniChem also restated its belief that the potential ending of resale price maintenance for over-the-counter branded medicines would be immaterial to the profitability of the company.

## Food for thought on herb cures

THE EUROPEAN herbal medicine market is about to become subject to regulation, according to Richard Dixey, chief executive of Phytopharm, the herbal pharmaceutical company (Pharm Nelson writes).

The exponential growth of herbal medicines imported into Western markets from the Far East has far outpaced the scope of existing measures aimed at the market, he says. While all herbal medicines are sold as food in the UK, Mr Dixey said many now have a direct effect on the body, making intervention by European regulators inevitable.

His comments came as the company reported a £565,000 pre-tax loss for the year to August 31, after a £190,000 profit last time. There is no dividend.

## Emap dissidents ruled out of order

By JASON NISSE

THE two dissident board members at Emap, the media group, yesterday failed to have a motion to dismiss Sir John Hoskyns, the group's chairman, and Robin Miller, its chief executive, put to the company's shareholders.

A board meeting was called so that the company could convene an extraordinary shareholders' meeting to have Professor Ken Simmonds and Joe Cooke removed from the Emap board after a protracted boardroom row over corporate governance.

The EGM is expected to be held in early December and the only motions being put to it will be to remove Professor Simmonds and Mr Cooke.

However, at yesterday's meeting, which was conducted on a telephone conference call as Mr Cooke was out of the country, the dissident direc-

tors objected to both the way the EGM will be conducted and the motions being put forward.

They proposed that alternative motions be put, recommending the removal of both Sir John as chairman and Mr Miller as chief executive.

These were rejected by Emap's board, as was the suggestion that Sir John should not chair the EGM as he was biased and that another member of the board, who was not in dispute with Professor Simmonds and Mr Cooke, should take charge.

The dispute concerns proposals that would allow the Emap board to dismiss directors if three quarters of the board agree to do so. Suggestions that some of the executive directors of Emap have supported the dissidents have been rejected by Emap.

## Cardiff Bay

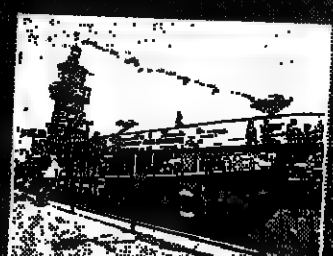
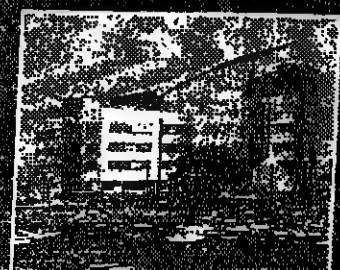


The future has never been brighter for Cardiff Bay with the investment by Thomas Reardon in a £30m leisure complex. With the completion of the Bay Bridge in 1998 and the creation of a 500 acre city, 20 or 100,000 new jobs in the year 2000 new look centre.

These developments build on Cardiff Bay's existing leisure and tourism successes. A major summer programme of events, unique modern and traditional architecture and a vibrant, bustling waterfront. The new Reardon's World Leisure Centre, the Bay's only open air theatre, is already in the planning stages. The opportunity to succeed in this exciting waterfront leisure development is now available.



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## STOCK MARKET

CLARE STEWART

## Shares in Northern soar but rate fears dull mood

A FRESH bout of interest rate jitters left a subdued stock market struggling to hold on to earlier trading gains, despite the sparks created by the US bid for Northern Electric together with a confident opening on Wall Street.

Whispers that a rate rise could emerge from the next meeting between the Governor of the Bank of England and the Chancellor helped to buoy sterling, but the FT-SE 100 ended just 2.9 points up in thin trade at 4,025.3.

Most of the action was reserved for FT-SE 250 shares, powered by a buzzing utilities sector. Nearly 22 million shares changed hands in Northern after news of a £651 million cash offer from US group CE Electric. Northern shares touched 655p before closing at 648p, a rise of 128p. CE Electric snapped up 12.7 per cent of its shares at the offer price of 630p.

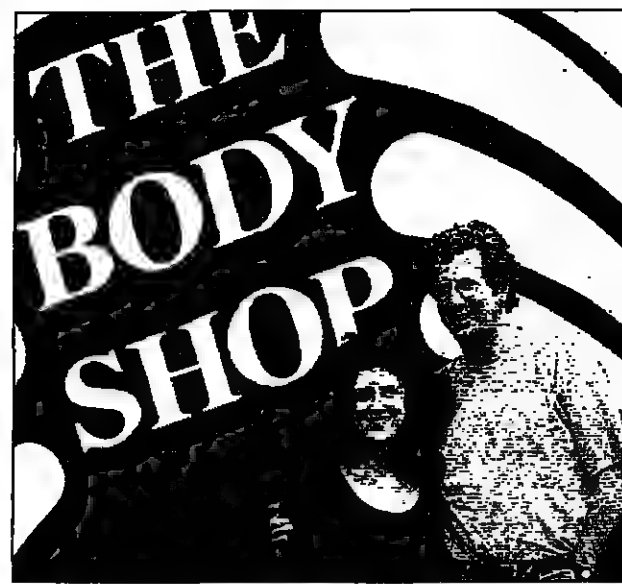
With the market expecting further bid activity, London Electric moved up 18p to 608p and Southern Electricity gained 17p to 647p. East Midlands Electricity, however, moved out of the bid spotlight and its shares fell back to 545p, down 15p.

Among the other utilities Thames Water bubbled 7p higher to 545p ahead of interim results due today. Analysts at NatWest Securities are looking for profits of around £185 million with a dividend increased to 10.2p. South West Water recovered some of the ground lost last week immediately after the DTI blocked two takeover bids for the group. Its shares, helped by the company's promise of an increased dividend, moved up 20p to 505p.

Abbey National led the FT-SE 100 pack with a top rise to 636p, responding to a recent broker's recommendation, while British Steel added 4p to 180p, encouraged by a report on an improving European market.

Speculation over closer links between GEC and British Aerospace attracted interest. GEC moved up 7p to 378p while Bae jumped nearly 2 per cent to £11.68p, up 22p.

Drugs were in demand, led by Zeneca, which reports northern sales figures today. Its shares rose to a high for the year of £17.61 before closing at £17.50, up 1p. British Biotech continued its recent form, adding 4p to 222p.



Anita and Gordon Roddick, chief executive and chairman of Body Shop, 4p stronger at 197p ahead of Thursday's results

240p. This week it presents findings from trials of Marimastat, its cancer drug. Scotia Holdings rose 15p to 580p while Celltech was up 20p to 465p.

Bank of Scotland rose 21p to 285p as the market pondered further on its link-up with J Sainsbury, which plans to offer banking services from 1997. Sainsbury reports inter-

analysts at Lehman Brothers, the broker, have increased their earnings forecast for Stakis, the hotel and casino group. After recent encouraging trading figures, the broker has pencilled in earnings of 5.95p and pre-tax profits of £32.1 million.

im figures tomorrow and ended unchanged at 361p. Phytopharm, which floated in April, reported losses of £565,000 in the year to April, but news of progress in developing its Zernaphre treatment for eczema helped it to add 4p to 175p.

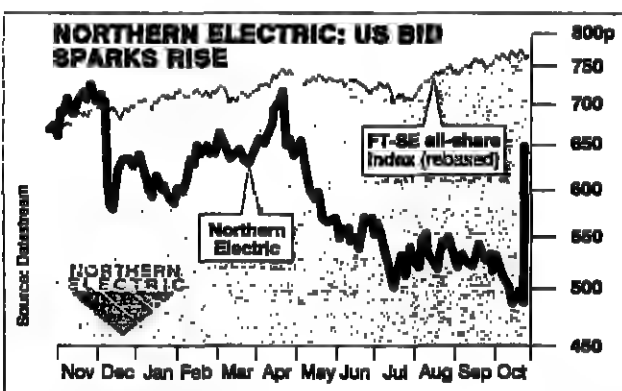
Grampian TV led 22p to a record level of 292p, fuelled by speculation that Scottish TV

has the group in its sights. Upbeat interim figures and a confident outlook for the full year also helped to boost the shares. STV fell back 21p to 732p, while HTV eased 16p to 369p.

Watson & Philip, the retail group which includes the Alldays convenience stores, fell sharply from 466p to 420p after issuing a profits

warning. Analysts trimmed their full-year forecasts to around £20 million.

Among other retailers DFS, the furniture stores group, moved up 16p to 554p after the expected placing of around 21 million shares removed the stock overhang in the market. The shares were placed at 533p on behalf of the children of Sir Graham Kirkham, the



founder. The family retains a 10 per cent stake in the group.

Body Shop moved 4p to 197p ahead of its results due on Thursday while Boots slid back to touch a low of 629p in reaction to reports that Marks & Spencer is to launch a range of over-the-counter medicines. Boots shares closed at 637p, down 5p.

Kenwood Appliances gained 8p to 250p after reports that the UK Active Value Fund, which holds a 9 per cent stake, is to re-acquire an EGM in order to force the group to put itself up for sale.

Cable and Wireless continued to climb on appreciation of last week's multibillion pound cable company link-up. The shares added 10p to 486p, while General Cable, tipped as another merger candidate, added 4p to 207p.

Impending legal action by four TV companies against CTA, the media buying group, pulled its shares 17p lower to 132p.

EMI, the music group, continued to languish after the profits warning from Polygram, losing 1p to £12.11, before a later rally to £12.31, while Pearson recovered early morning losses to gain 5p to 738p.

Shares in Emap also rallied after recent boardroom troubles and put on 13p to 709p, while buying interest in Southwells, the local newspaper group, pushed shares to a high of 416p, a gain of 28p.

Huntleigh Technology gained 9p to 230p after announcing plans to move from the US to the main market. On AIM, the Old English Pub Company was cheered 2p higher to 176p after reporting half-year profits ahead by 197

to £11,000. Quiet trading was reported with just 29,000 contracts as the gilts market took a breather after last week's livelier action. Traders expect a quiet week ahead of US employment data due on Friday in the run-up to the Budget. The December series of the long gilt slid 12.2 to £109.22. In shorts, Treasury 8 per cent 2000 dipped £7.3 to £103.22 while in longs, Treasury 8 per cent 2015 closed down £13.3 at £101.12.

NEW YORK: Shares on Wall Street were ahead at midday, with strength showing in energy and other selective stocks. The Dow Jones industrial average was 8.94 points higher at 6,015.96.

## MAJOR INDICES

New York (midday):	
Dow Jones	6015.96 (+8.94)
S&P Composite	702.14 (+1.22)
Tokyo:	
Nikkei Average	3385.41 (+145.44)
Hong Kong:	
Hang Seng	12262.77 (+125.61)
Amsterdam:	
EOE Index	501.15 (+0.97)
Sydney:	
AO	2334.1 (+1.1)
Frankfurt:	
DAX	2703.83 (+29.61)
Singapore:	
Strait	2067.85 (+9.35)
Brussels:	
General	998.96 (+4.13)
Paris:	
CAC-40	2150.39 (+12.04)
Zurich:	
SIX Cen	763.20 (+3.48)

London:	
FT 100	4025.3 (+2.9)
FTSE 250	4442.1 (+11.6)
FTSE 100	2002.4 (+2.2)
FTSE Eurotrack 100	1755.0 (+4.4)
FT All-Share	1975.88 (+1.98)
FT Non Financials	2066.85 (+3.45)
FT Financials	1155.54 (+0.28)
FT Govt 500	94.14 (+1.31)
Bargains	4347.9
SEAQ Volume	61,406
US (Daxterm)	20.55 (+1.47)
US\$	1.6125 (+0.0004)
German Mark	2.4505 (+0.0004)
Exchange Index	90.6 (+0.4)
Bank of England official rate (4pm)	5.75
ESCU	1.9362
153.8 Sep (2.1%) Jan 1997/100	1.082
153.6 Sep (2.9%) Jan 1997/100	1.082

RECENT ISSUES	
Beechcroft	161p
Charles Taylor	161p
Deltron Electrom (150)	160p
Elec Retail Sys	170p
Eurasia Mining	305p
Fitness First	90p
Gen Interactive (100)	103p
Hawthorn Sec Cum	120p
Healthcare Reform	99p
Imperial Tobacco	369p
Interoute Tele	165p
John David Sports	295p
Levenston	155p
Lofus Road (72)	74p
Leonard Under	120p
Means Group	12p
Orion Restrooms	205p
Thistle Hotels (170)	170p
Ultra Electronics	300p
Victory Corp	55p

RIGHTS ISSUES	
Brooke Tool n/p (125)	6p
Carm Energy n/p (360)	5p
Capital Ind n/p (175)	4p
Celtis Int n/p (100)	8p
Clyde Alms n/p (265)	20p
Prism Rail n/p (240)	120p

MAJOR CHANGES	
RISERS:	
Porter	267p (+31p)
Grampian	282p (+22p)
Celtic	465p (+20p)
Vanguard	507p (+20p)
Vickers	300p (+11p)
Scotia	580p (+15p)
Abbey Nat	636p (+16p)
EMAP	709p (+13p)
Stand Chari	685p (+9p)
FALLS:	
Pet City	525p (-35p)
Broken Hill	628p (-25p)
Blackie Ltd	275p (-7p)
Storehouse	287p (-7p)
Darke Be Sys	612p (-10p)
Genard	217p (-6p)
Salience Sec	667p (-4p)
CRA	657p (-41p)
Scot TV	292p (-21p)

Closing Prices Page 30

## TEMPUS

## Spoiling the Alliance party

WITH the dark shadow of Halifax looming on the horizon, Alliance & Leicester is wise to get its flotation off the ground early and, it turns out, cheaply. Based on the indicative valuation range provided yesterday by its advisers, J P Morgan and Cazenove, Alliance shareholders will have a stake in a company worth between £2.3 billion and £2.6 billion.

That suggests the shares are valued at 1.5 to 1.6 times shareholders' funds, a modest premium to book value when compared with average multiples of 2.3 times for the listed banks. But there are reasons for the lower rating attributed to Alliance and investors should not expect mammoth gains after the initial surge as funds build up their holdings.

For a building society, Alliance is a high-cost operator and the optimistic scenario envisages growth in the shares as the bank sheds large chunks of its workforce in a bid to shrink its high cost-income ratio of 64 per cent. At the same time the company has a high level of tier-one capital and could gear up its business further, leaving the scope for some accelerated distributions to investors.

Unfortunately, Alliance has not been a particularly impressive performer of late. Half-year profits growth of 12 per cent was less than the banking sector and Girobank's profits actually fell in the first six months.

But the real obstacle facing Alliance is the Halifax flotation. Institutions will be holding back funds to build up their holdings later in the brand name that matters. Moreover, Alliance, unlike the Halifax, will be protected from takeover for five years, a security that will be of more benefit to the directors than the shareholders.

## Grampian TV

THE STARTING pistol for another round of media consolidation will not be fired until Thursday, but the sector leaders are already jockeying for position. Few in the industry believe that small regional independent television companies have an independent future and many interpreted Scottish TV's sale of its stake in HTV as a first step towards launching a bid for its northern neighbour.

Grampian controls just 0.7 per cent of the UK market and is unlikely to be of interest to any of the leading UK media players. But for a medium sized company such as Scottish, a takeover could prove attractive, provided that bid speculation does not push the price too high.

Scottish and Grampian are already co-operating on

## Lloyd's corporate capital vehicles

THERE is still time to climb aboard a Lloyd's corporate capital vehicle and the reasons to do so have not changed since the late Matthew Harding sent his Benfield and Rea Investment Trust in pursuit of HCG.

There are a number of vehicles in the £10 billion insurance market, but most are worth considerably less than £100 million. Combination, therefore, makes sense, purely on cost grounds, and investors should expect more bids and mergers.

But there are more subtle reasons why many Lloyd's companies, such as Hiscox and Wellington, may be worth much more than their stated book values. The arcane three-year accounting rules mean that the first dividends are only just coming up for companies that invested in 1994, but more interesting is the new Lloyd's

## Kenwood

JUST as the South African fast bowler Allan Donald put the fear of god into English batsmen, so Brian Myerson and Julian Treger, the South African investors, have unsettled large swathes of British management. The tactics of their UK Active Value Fund are rarely subtle – the equivalent of few short-

pitched deliveries followed by a yorker is a leak to the Sunday press and a requisition for a shareholder meeting.

The latest target is Kenwood, where UKAV has 9.2 per cent and is pressing for the company to be sold to someone like SEB of France, which owns Tefal, or the Italian group Merloni, whose brands include Ariston and Zanussi. Kenwood's reply is a possible link with Pico, which hardly sets the pulse racing.

The trouble with Kenwood is that it is not driving force when Tim Parker led to C&J Clark, and the City doubts whether the management knows where it is going. Tim Beech, the current chief executive, is struggling to find the mmp.

However UKAV has other fish to fry – including Signet, Greycoat and Hogg Robinson. The South Africans are certainly active, but have yet to demonstrate value.

EDITED BY CARL MORTISHED

COMMODITIES

LIFE			
Contract	Price	Change	Volume
COCA	1026.027		
Nov	1026.027		1310-1310
Dec	1026.027		1030-1030
Jan	1026.027		1030-1030
Feb	1026.027		1030-1030
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Jan	1026.027		1030-1030
Feb	1026.027		1030-1030
Mar	1026.027		10



# THE TIMES CITY DIARY

## Abbey winning post nears

THE Abbey National succession race heated up yesterday when the two most likely candidates to succeed the highly respected Peter Birch as chief executive in April 1998 each had their resumes enlarged.

As Bob Knighton retires as managing director of operations from July next year, Ian Harley, the 46-year-old finance director, will take over his responsibilities for information technology.

Andrew Pople, his rival for the top job, the 38-year-old managing director of retail banking, will look after mortgage operations and the remainder of the group's banking services. Pople is said to be the current favourite, but there's a long way to go yet.

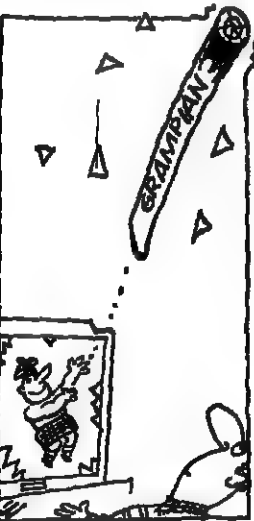
## Heavy reading

POSTMAN PAT would blanch at Alliance & Leicester's £8 million bill for delivering the announcement of its £28 billion flotation. Meanwhile, Halifax will splash out more than £10 million on printing and posting 5,000 tonnes of documents to nine million members in January.

## Change of dress

EMPLOYEES at Save & Prosper's administration centre in Romford have been driven almost dizzy by the constant change in dress code. Following the example of Richard Branson, staff were originally asked to dress down for work, but only on a Monday. It then changed to five days a week.

Now, Peter Roney, chief executive, has issued a decree that multi creates an unprofessional image, and ought to be restricted to Fridays. One employee has put in a £200 invoice, demanding immediate reimbursement for the clothes that he invested in.



## On the ball

SCARBOROUGH Football Club is hoping to score with a premier idea to put advertising on the goalposts and across the goalmouth before a game kicks off. The brainwave is that of John Russell, chairman, who came up with the idea two years ago when he was playing Subuteo with his two sons.

"I realised that the only vertical parts of a football ground without advertising are the corner flags and goals," says Russell, who immediately patented the idea. "When we played Leicester City in the Coca-Cola Cup recently, they were staggered at the potential for the scheme and bought a set of covers for their ground," he adds.

## Pep talk

AT A time when religion is ringing bells in politics, a new weapon launches into the market for City types who think that their offices could do with an ethical spring clean. It is a desk calendar designed to last well into the next century, offering one of Solomon's proverbs per day. Food for thought includes: "All hard work brings a profit, but mere talk leads only to poverty."

MORAG PRESTON

# Americans battle to plug into British power firms

**Christine Buckley**  
looks into why US groups have become such keen shoppers

It is not quite the gold rush, but it is certainly true that US utilities detect a substantial cash mine in the UK's electricity industry. They also see a chance to get experience of the sweeping changes to the UK electricity industry that will help them when competition begins to make an impact in the US.

Since the takeover round began in the regional electricity sector last year, US groups have been keen shoppers. Now CE Electric's bid returns to the company that started the takeover frenzy. Northern Electric was the first regional electricity company to receive a hostile takeover approach nearly two years ago when Trafalgar House moved in and quickly set rolling a ball that has shaped the electricity industry into one of the most lucrative investment areas.

US companies, which now own or influence more than 25 per cent of the UK industry, were not slow off the mark when the Government's golden shares in the regional electricity companies expired and the electricity regulator finally set the record straight on pricing controls.

Southern Company, the Atlanta based group, was first when it bid for Sweb, the South West company, last July. Southern, which has now sold on a 25 per cent share to a subsidiary of a fellow US group, Pennsylvania Power and Light Company, also made an approach to National Power, Britain's largest generator. But this was blocked by the Government's decision to maintain a golden share prohibiting holdings of more than 15 per cent in the generators.

The next US groups to show their faces in the UK were Central and South West Corporation and Houston Industries. They teamed up to buy Norweb, but were outgunned by North West Water. Central and South West came back with an agreed bid for Seaboard. Midlands Electricity moved into US ownership after its courtship by PowerGen, the UK's second biggest generator, was vetoed by Ian Lang, President of the Board of Trade, in a surprise overturning of a Monopolies and Mergers Commission recommendation. Midlands was bought by the partnership of General Public Utilities and Cinergy.

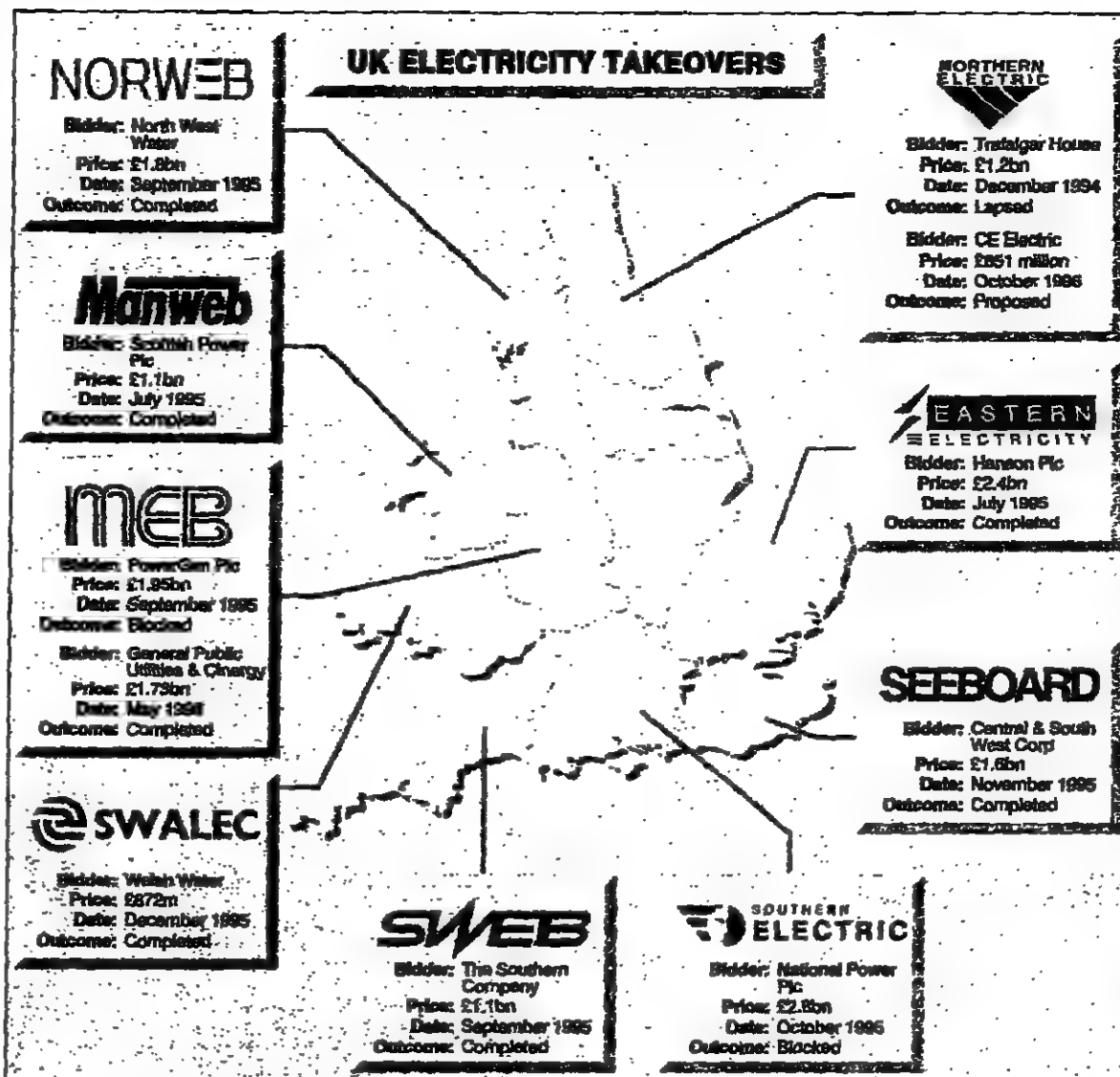
A significant foray into generation by US groups was struck when Mission Energy beat other bidders for First Hydro, the pumped storage generator that provides electricity at peak demand and for peak prices. Elsewhere in generation they have interests in a number of independent power projects in the UK.

Houston Industries, in spite of its silence since the Norweb bid, is still believed to be strongly interested in buying in Britain. Other names touted as likely predators are California based Pacific Gas and Electric and SCE Corporation.

Two main matters are driving the transatlantic crusade — a squeeze on growth at home and the relatively attractive regulatory regime in the UK.

Competition among utilities, which are subject to federal and state regulation, is being progressively introduced into the US. Last year the Federal Energy Regulatory Commission announced plans to enact a 1992 Energy Act passed by Congress to require the owners of transmission lines to allow access to any generator wishing to reach wholesale markets for power.

Across the states the structure of electricity provision and the timetables



for competition vary enormously. California, where CalEnergy — the majority owner of CE Electric — has a big presence in generation, has faced strong pressure to establish competition in retail electricity for a few years following a study by the Public Utilities Commission that was critical of the fact that California's electricity prices were about 50 per cent higher than the national average. Comparisons with the UK's energy trading structure brought about plans for an electricity pool.

At present, CalEnergy, as an unregulated generator in the US, is prevented from buying a distribution business although this is expected to change as competition becomes established.

Throughout the US, states differ as to whether they are setting the framework for competition on purely federal grounds, on regulatory ones, or a combination of the two.

Increasingly, as competition at home looms, US companies are looking to expand their expertise and to minimise the impact of falling domestic margins. Most are looking overseas for other income streams. Southern Company, which has fallen into silence after its

overtures to National Power, has said it wants to make 30 per cent of its income from non-core activities by 2003.

US groups say they will be able to take what they learn about the competitive market back home; the ways of marketing energy to the hitherto undemanding world of domestic customers who are not used to having a choice. Critics say that buying companies at the sort of premiums commanded by UK regional companies is an expensive way of gaining such schooling and that US purchasers are more lured by the regulatory system here, which allows more profits through the incentives of RPI-X rather than the sliding scale system of profit-capping prevalent in America.

Further incentives to US companies to look outside their domestic arena come from the surplus of generating capacity at home. They are further aided in their foreign shopping expeditions by comparatively good prices for credit and generally substantial cash piles.

Mergers are going ahead in the US in response to an industry on the verge of consolidation, but they are painfully slow. With hostile bids a rare event,

talks between companies and regulatory intervention take a huge amount of time in comparison with the rapid fire of the UK. Across the Atlantic, it is not unusual for mergers to take more than a year to complete from the first bid moves.

The UK is not the only target for acquisitive US companies. Deregulation of energy markets is becoming a worldwide phenomenon and with it business opportunities are developing in rapid succession.

Australia especially is proving a magnet to US power companies as well as UK ones. In both countries, a deregulated power industry is backed by the attraction of stable government. And while power opportunities are considerable in developing countries such as India, Pakistan and the Far East, companies have to contend with different cultures and legal procedures. Importantly also they are developing greenfield sites that will take two to three years to come to fruition.

A while ago US utilities were said to have gone to ground again, frustrated by inconsistent government policy and the prospect of a new Labour Government with its windfall tax and possible harsher regulation.

US groups have been puzzled by the Government's apparent willingness to embrace some groups — all of the ones that have bid for regional electricity companies — but not Southern Company in its attempt for National Power, the generator.

The Department of Trade and Industry rejected Southern's move on National Power in spite of the fact that the company was willing to pledge power station disposals and a reduction of its stake in Sweb. It maintained that it would hold its golden share in the generators. This came after Tim Eggar, the then Energy Minister, said that he was willing to consider a trade sale of British Energy as the Government prepared the modern chunks of the nuclear industry for sale amid a gloomy investment climate. The name mentioned, much to the company's annoyance, was Duke Power, of the US.



Ian Lang vetoed PowerGen's courtship of Midlands Electricity

## BUSINESS LETTERS

### Critics of direct motor insurers miss the point over the question of providing cover for 'uninsurables'

From the chairman, Direct Line Insurance  
Sir, The debate started by the AA (Car insurance underclass being frozen out, October 9) and taken up by Rocco Segreti (Companies need to find a way to provide for the 'uninsurables', Business Letters, October 15) suggests that insurers need to provide for "uninsurables" if the industry is to survive. Both miss the point.

The issue of whether some people can afford insurance is a very different one from whether the insurance they need is actually available. The claim

by the AA that direct insurers "cherry pick" only the best risks is scurrilous. I have launched two direct motor insurance companies, one for drivers classed as standard risks (Direct Line) and one for those who are higher risk (Privilege Insurance). Between them they quote competitively for virtually the entire market. In addition, the free and open competition which direct insurance has provoked has led to the largest fall in motor insurance rates and jumps in service standards that the market has ever seen. If the

root of Mr Segreti's concern is that insurance companies should subsidise some people — rather than trying to offer the most competitive prices for their risk — then his worries are focused on the wrong issue. The logical extension of this kind of thinking is that supermarketers should also act to help people who cannot afford the food they stock.

Yours faithfully,  
PETER WOOD,  
Chairman,  
Direct Line Insurance plc,  
Direct Line House,  
3 Edridge Road, Croydon.

### Practical dilemma that inhibits diversity of non-executives

From Mrs Yve Newbold  
Sir, Mr Clive Halton blames over-generous pay awards at board level on non-executive directors who are in full-time executive employment elsewhere, citing their lack of time availability and their tendency to boost the pay "of their own kind".

The point frequently made, and implied in his letter, is that non-executive directors are drawn from too narrow a cadre. Whilst many of us would agree with this as a matter of principle, there is a practical dilemma which inhibits diversity.

Today's company operates in a rapidly changing business environment as well as one of increasingly complex standards of financial reporting and corporate governance. Given that it is perhaps not surprising that those non-executive directors most sought after and most likely to contribute to boardroom debate are often those who have current boardroom experience in other companies.

Ironically, much as the mutualisation of directorships on British boards may in part have contributed to the "spiral" of high pay and settlement awards, it is sometimes non-executive directors with

experience of other companies' practice who can most effectively influence, and indeed curtail, high pay awards coming before them as non-executive directors. There is little evidence so far to suggest that those lacking the necessary financial and business understanding make better or "tougher" non-executive directors.

To increase diversity of skills among non-executive directors, change is probably needed to the content, structure and process of board meetings so that non-executive directors of varied experience can express themselves in the boardroom without being inhibited by process or technicalities. But many chief executives firmly believe that "corporate governance" has gone far enough already. As one entrepreneur remarked famously: "We want hound dogs, not watchdogs, in our boardrooms."

Yours faithfully,  
YVE NEWBOLD,  
PRO NED,  
Devonshire House,  
Mayfair Place, W1.

Letters to the Business section can be sent by fax on 0171-782 5112



# Watch out for the explosion

The Germans have taken over the asylum. The Fat Lady has hit high C. It's all over bar the shouting. Add or subtract dithers at will: you can grasp my meaning. The great bull market may not yet be over, but it is suddenly in mortal danger. Bonds round the world and Anglo-Saxon currencies have entered the kind of wild speculative period when even aggressive investors may be well advised to stand aside — and stock markets cannot ignore a shock in bonds and currencies, even if equities remain reasonably priced.

Why do I sense trouble? Not because I have spent the past two years predicting disaster on Wall Street. Like many professional financial analysts. On the contrary, I have consistently argued that American shares were still attractively valued (certainly much better bets than Japanese ones), while the dollar and pound would continue to rise against the yen and the mark.

And looking purely at the economic fundamentals, I still believe both of these propositions to be true — which is why I do not think the bull market is over, but merely that it is due for a nasty shock. Why, then, the warning? Because there are signs of wild speculation and rumblings of alarming policy changes that most of the pundits have chosen to ignore.

While the experts have mostly been looking to Wall Street for signs of speculative behaviour, the real excesses have (as usual) occurred in the bond markets. Two weeks ago, I noted in this column that investors in Italian and Spanish bonds were ignoring the warnings of the Bundesbank about the "Club Med" ineligibility for monetary union. Since then, the overconfidence in Club Med markets has become even more absurd.

Last week Hans Tietmeyer, President of the Bundesbank, gave a warning that the declining trend in German interest rates was probably over. Since Italy's budget plans depend on getting interest rates down German levels — and then funding the entire national debt in the short-term money markets — a turn in

the German rate cycle would leave the country's entire EMU strategy in ruins. How then did the markets react to Herr Tietmeyer's warning on Friday? By buying lire against the mark and bidding Italian bonds to a record high.

This kind of contempt could make the Bundesbank increasingly frustrated and angry. And Bundesbank frustration has a long history of bursting financial bubbles — on Wall Street in 1987, in the ERM in 1992 and 1993, and in the worldwide bond markets in early 1994.

What now makes the danger of a policy shock from the Bundesbank far greater is the way that the cockpit of speculation has recently moved from Club Med to an infinitely more important financial centre: Tokyo. The yield on Japan's ten-year bonds has now fallen to an amazing low 2.5 per cent, suggesting a fraud on the investing public unequalled since the British Government's issue of irredeemable 3 per cent War Loan.

The yen has collapsed to a new three-year low against the dollar. In itself, this move is justified by the economic fundamentals. But what makes it suspicious is that all kinds of other currencies — the pound, the Canadian and New Zealand dollars, and even the lira — have risen even faster than the US dollar against the yen. At the same time, the Japanese stock market, which should logically have gained in response to the yen's weakness, has plunged. What seems to be happening is that Japanese investors, while keeping most of their money in the apparent "safe haven" of Japanese government bonds, are finally panicking and starting to channel their discretionary money into any currency that offers higher returns than the yen (which in practice means any currency under the sun).

Unfortunately, the prowess of the Japanese as manufacturers is matched only by their incompetence as investors. Japanese financial incompetence plus Bundesbank anger is a potent combination if you want to produce a worldwide financial explosion. You have been warned.

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**TRADING PERIOD:** Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

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1996 Low Company Price % CHG % PE					1996 Low Company Price % CHG % PE					1996 Low Company Price % CHG % PE					1996 Low Company Price % CHG % PE					
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301	Quaker	255	-	17	137	231	231	W	255	-	3.3	35.5	32	125	McKesson Inc	175	-	20	42	72
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365	Quaker	255	-	17	137	295	295	W	255	-	3.3	35.5	96	189	McKesson Inc	175	-	20	42	72
366	Quaker	255	-	17	137	296	296	W	255	-	3.3	35.5	97	190	McKesson Inc	175	-	20	42	72
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374	Quaker	255	-	17	137	304	304	W	255	-	3.3	35.5	105	198	McKesson Inc	175	-	20	42	72
375	Quaker	255	-	17	137	305	305	W	255	-	3.3	35.5	106	199	McKesson Inc	175	-	20	42	72
376	Quaker	255	-	17	137	306	306	W	255	-	3.3	35.5								

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This micrograph shows a cross-section of a plant stem. A prominent, dark, circular vascular cylinder is visible in the center, surrounded by lighter-colored cortical tissue. The overall structure is elongated and slightly curved.



## US pet warehouse grows on low-profit diet

FROM RICHARD THOMSON  
IN NEW YORK

THE \$170 million bid for Pet City by PETsMart, announced last week, is typical of a breakneck growth strategy that has made the US company one of the most controversial retail stocks in America.

It has become one of the fastest growing store chains in the country partly by paying what many Wall Street analysts regard as inflated prices for other store groups. The

company became embroiled in controversy last year when Dan Dorfman, the influential CNBC television share pundit, quoted fund managers and share underwriters as saying that it had paid too much for two acquisitions, including that of Pet Food Giant in New Jersey.

As with the Pet City offer, PETsMart paid for the purchases with shares rather than cash or loans. Analysts pointed out that the company's strategy appeared to be that of a classic high growth stock,

keeping its share value high by rapid expansion while constantly issuing new shares to fuel its growth. Meanwhile, profits have lagged.

In 1995, the company recorded a loss of \$2.8 million on revenues of \$1 billion. PETsMart has never made any dividend payments. However, from almost a standing start in 1989, the Arizona company has mushroomed to 273 warehouse stores in 32 US states, with 9,000 employees. Mark Hansen, the chief executive, wants it to grow to 975 stores.

Meanwhile, rival retailers such as Pet Food Warehouse claim that PETsMart is buying market share by selling many of its products at below cost price.

PETsMart has recently broken into the Canadian market and the purchase of Pet City would be its first step into Europe, where Britain and France are the main targets. Although Fidelity Investments, its main backer, remains supportive, some investors are wary of the company's rapid growth and low profits.

PETsMart offers a range of pet services — from pet food and toys to grooming, veterinary services and a pet adoption agency — that have traditionally been separate from its 25,000 sq ft warehouse stores.

Its aim is to undermine the supermarkets in selling pet food and other basics to animal owners in a \$17 billion market in the US that is growing at about 15 per cent a year.

The company's shares closed last week at around \$29, near its high for the past 12 months.

## Grampian advance switches on investors

BY ALASDAIR MURRAY AND PAUL DURMAN

SHARES in Grampian Television, which holds the ITV franchise for the North of Scotland, leapt 2p to a record high of 992p yesterday after the company announced a big jump in profits and raised the dividend by 60 per cent.

Grampian has been at the centre of renewed bid rumours after Scottish TV sold its 20 per cent stake in HTV for £74 million to United News and Media last week.

The two companies already collaborate on the recently launched interactive OKTV, but Grampian has ruled out a merger and repeatedly said it wishes to remain independent.

Half-year pre-tax profits increased from £2.9 million to £8.1 million, boosted by a £4.7 million contribution from the sale of Scot FM to the Independent Radio Group. The interim dividend, which is

payable on December 16, was increased from 1.25p to 2p as the company seeks to reduce the disparity between the final and interim payments.

The company said that its operating performance had been boosted by the good market in Scottish airline sales and it outperformed the ITV market average with a 4 per cent rise in advertising.

Grampian also confirmed its intention to broadcast a digital service and is looking to form a company with Channel Four to apply for the necessary licence.

Calum MacLeod, chairman, said that in programming terms the company retained its lead in vital areas such as local news and would continue to show its determination to be involved with national programming.

He added that despite increased competition with the arrival of Channel Five next spring, the company is confident that Grampian will remain the most popular channel in North Scotland.

Scottish Television, meanwhile, has changed its stock-brokers because it was unhappy with the level and quality of service it was receiving from Kleinwort Benson, its previous broker.

Gary Hughes, finance director at Scottish, said Kleinwort Benson "have not moved with us at the speed that we would have wanted them to".

He said the brokers started working for Scottish in 1990, when the television company was only a tenth of its current size with a market value of only £50 million. "The level and quality of the service that they provided was probably adequate for a company of that size," Mr Hughes said.

Scottish has switched to ABN Amro Hoare Govett, with Bell Lawrie White, the Scottish firm, helping out.

Times, page 28



Calum MacLeod aims to keep Grampian at the top in North Scotland despite the competition

## Charity seeks cash for debt service

BY SARA MCCONNELL

THE Money Advice Trust, the charity set up to raise private sector funds for debt advice services, yesterday appealed to banks, building societies and other credit providers for extra money to pay for the expansion of debt advice across the country.

Robert Colvill, the Trust's chairman, said £1.5 million was needed in the 1996-97 financial year alone if the Trust's plans for regional money advice offices and support, new technology and provision of technical information for advisers were to be realised. The Trust's annual funding target is £3 million.

He told an audience of credit providers at a London reception that it made good business sense for lenders to contribute to helping customers in debt. He said: "Every-one wins. The customer wins because he is in control, and the lender benefits because a difficult situation is resolved."

Mr Colvill gave warning that demand for debt advice was growing in spite of the country's improving economic situation. More than one million people a year contact money advice organisations for help, and the Money Advice Trust estimates that this figure has risen 5 per cent during the last 12 months.

The Money Advice Trust yesterday announced an expansion of the National Debtline telephone service to cover Scotland and Northern Ireland and extend its opening hours from 22 to 32 hours a week. The service has seen a five-fold increase in calls since it first opened in England and Wales nine years ago.

## Hedge fund woos private investors

BY ROBERT MILLER

PRIVATE investors are being targeted by a new international hedge fund that aims to make money from falling world equity markets as well as rising ones.

Finsbury Asset Management, better known for its stable of six investment trusts, is looking to raise between \$50 million and \$100 million for the Finsbury International

Hedge Investment Company (Fihic), a closed-ended vehicle, incorporated in Guernsey and listed on the London Stock Exchange. To give more retail investor appeal to the new-fund, which will be a fund of funds investing in other hedge funds, Finsbury will extend its £50 a month investment trust savings scheme to Fihic.

Anthony Townsend, managing director of Finsbury, estimates the global hedge

fund market is worth more than £200 billion. He added, however, that the public perception of hedge funds is that they are too risky or that all share the same investment strategy as the Quantum hedge funds run by George Soros, who made \$1 billion betting against sterling in the 1992 currency crisis.

Mr Townsend said: "We believe there may be more retail investor interest than at

first thought." Minimum investment in the new hedge fund, which unlike many rivals will not speculate on currencies, interest rates and commodities but almost solely on equities, is about £7,000.

The Guernsey arm of Rea Brothers, the merchant bank group of which Finsbury is a member, will manage Fihic while the investment manager will be International Asset Management (IAM).

## Multimedia age hits the high street

BY A CORRESPONDENT

BT is to launch a new network of kiosks that will bring the multimedia age into the high street, giving shoppers easy access to information and services.

Touchpoint is a touch-screen interactive kiosk that will offer up-to-the-minute information on sport, news, weather and leisure facilities. Consumers will be able to browse free of

charge, but will have to pay for more detailed information and printouts.

Users of Touchpoint, which is being piloted over the next six weeks in 200 kiosks in London and the South East before a nationwide launch, will be able to book holidays, flights, theatre, cinema, music and events tickets; order flowers, wine and gifts; and take up special offers and enter competitions.

The kiosks — in shopping areas,

tourist sites, motorway service stations, hotels and colleges — offer a high-quality touch-sensitive screen and phone handset for free contact.

The menu of services available through Touchpoint has been assembled with help from companies such as British Airways, Thomson Holidays, Halifax, Thresher and Interflora. At the heart of each kiosk is a specially designed ICL CD-Rom computer. It also contains a printer for providing

tickets and road maps. Rupert Gavin, director of BT's multimedia services, said: "The Touchpoint kiosk represents an important step in bringing advanced multimedia applications within the reach of a general public environment."

He added: "With only a fraction of the population currently able to access the Internet for shopping information and services, Touchpoint brings multimedia within the public's reach."

## Pillar Property buys Four Seasons lease

PILLAR Property Investment has acquired the leasehold of the Four Seasons Shopping Centre in Mansfield for £23.75 million through PillarCaisse, its joint venture subsidiary. The purchase, from Legal & General, gives PillarCaisse a portfolio of six shopping centres with a total area of more than one million sq ft. The Mansfield shopping centre has a 500-space multistorey car park and includes Debenhams, Boots, Burton's and Littlewoods among its tenants.

With 105 years to run, the acquisition will bring in 231,000 sq ft in retail space, generate £2.1 million in net rental per year and produce a yield of 8.6 per cent. PillarCaisse will consider a programme of refurbishment and improvement to the shopping centre, which has not been altered since 1976. Last June, the company raised £44 million through a placing and open offer to finance the expansion of its retail interests, in particular retail parks and shopping centres.

## Hewden Stuart expands

HEWDEN STUART, the plant and tool hire group, has bought Agent Plant Group from Kvaerner Construction for £9.35 million in cash. The buy is the company's largest in three years and expands its presence in the South East. Sandy Findlay, Hewden's chief executive, hopes to save money by pooling operations in Grangemouth, Teesside, Doncaster and Cardiff, where Hewden already operates.

## Epwin buys Profiles

EPWIN Group, which makes plastic windows and doors, is paying £3.2 million to Lilleshall to buy D J Profiles, an extruded rubber and plastic sealants business. In 1995, D J Profiles made operating profits of £446,000 on £5 million turnover. The deal will raise Lilleshall's net book assets by £1.45 million but, because of goodwill changes, it will incur a net £461,000 charge against 1996 profits.

## Wragg to head Partco

PARTCO, the distributor of spare parts for cars, has named Phil Wragg as its first managing director. Mr Wragg, a former marketing director of Lucas Service, will report to Peter Redfern, Partco's chief executive, as part of the company's move to expand its board. Christopher Scott, Partco's current finance director, has also agreed to double as head of its corporate development.

THE TIMES

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CHANGING TIMES

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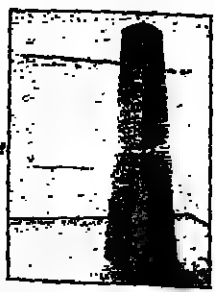
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## ■ VISUAL ART 1

Into the woods: three British exhibitions pay tribute to David Nash's remarkable carving skills



## ■ VISUAL ART 2

Deprived of *The Three Graces*, the Getty Museum's director attacks the British arts establishment

THE TIMES  
ARTS

## ■ VISUAL ART 3

As simple as it appears? Robert Ryman's white paintings go on show in London



## ■ RECORDS

Building a Library surveys the best CDs of music by Carl Philipp Emanuel Bach

## VISUAL ART: A gripe from America's richest museum; and a review of David Nash's latest carvings

WHEN John Walsh travels to Britain — about five times a year — he can perhaps be excused for reserving a steely glare for the Customs officers at Heathrow Airport. Walsh, director of the Getty Museum in California, has repeatedly been frustrated in attempts to export historic artworks from the United Kingdom.

Each time this mild-mannered specialist in 17th-century Dutch painting arrives on British soil, the native art community strikes up a cacophony like the theme music to *Jaws*. Such is Whitehall's apparent dislike of the Getty. Its fear that the fantastically-endowed American museum is about to snatch another precious British object and ship it from our shores, that officialdom appears willing to tweak the rules to safeguard our heritage.

Walsh, who has been at the Getty for 13 years, is prone to lose his rag over the art export licence debate. Now he has angrily attacked what he calls the "opportunistic quasi-collectors" who have rallied to the anti-Getty cause in Britain. However, one benefactor who has played a part in thwarting the Getty Museum is John Paul Getty II, son of the museum's late founder.

Walsh also rails against a British art establishment which, he claims, preserves art for its own purposes. He resents the depiction

## Getty boss attacks 'bent' British rules

of the Getty as the rich culture, looking to pick clean the poor British state. "Are you joking?" he exclaims. "With the National Lottery funds, the British Government has more in art acquisition funds than the rest of us put together."

The most notorious of the Getty's failed purchases was the Canova statue of *The Three Graces*, saved in 1994 courtesy of the "Ridley rules" — named after the former Trade Secretary Nicholas Ridley — which gave British art lovers added opportunity to stop work leaving beloved Albion. Walsh, who is still fuming with fury about losing the Canova, says: "The Graces was the single cause of recent years with the largest number of irregularities. It opened up a whole new era of opportunistic measures."

What Ridley did was to permit the Government to delay granting an export licence if there was a chance of an individual matching the offer from the foreign gallery. Beforehand, the Government had been allowed only to consider matching bids from domestic institutions. When described by Walsh, the Ridley rules are made to sound like the product of a



The Getty Museum's John Walsh claims that art saved "for the nation" may end up in private hands

corrupt Latin American regime.

Critics of Ridley say that the current arrangements allow individuals to benefit from the price negotiated (often with some skill) by a foreign museum such as the Getty, and then to sell on the work for profit immediately afterwards. The individual might also choose to show the work of art, supposedly saved "for the nation", only to his chums — or, as Walsh angrily puts it, "on the walls of some country house in Norfolk". There is also the fear that individuals

could pay for artworks and offset them against tax to an unattractive but not illegal extent. Jacob Rothschild proposed such a deal to save *The Graces*, although eventually the statue was "saved" by a consortium which included the Dutch-born industrialist Baron Hans Heinrich Thyssen-Bornemisza.

The Getty's most recent disappointment was its failure this summer to buy a Guernico masterpiece, *Erminia Finding the Wounded Tancréd*, for which it

had offered \$5.42 million (£3.4 million). In a tax-assisted wheeze, the Guernico was kept in Britain by a \$3.1 million offer from the Scottish National Gallery, whose pugnacious director, Timothy Clifford, said: "It's great to succeed against the richest museum in the world."

Walsh, although still angry about that episode, is determined not to give up on Britain. But, given that the Getty is an American museum, why does it bother? Why not concentrate on new stuff?

Should the art of old Europe be a concern for the New World?

Walsh says that it should. The historic British collections, he says, "remain the measure of what is a beautiful drawing and an intelligent way of life — and have been profoundly influential on America". For this reason, he says, his curators "continue to travel fairly often" throughout Britain and Europe looking for purchases. "However, we need an explicit laying-out of the rules and the procedures for exporting art from Britain. The system as it is serves nobody apart from a few opportunistic quasi-collectors who take advantage of the Ridley rules."

"We are here for the long pull. We will take the ups and downs, we will take our licks. But the system was designed to be fair. In a series of cases the rules were bent, deadlines were ignored and the whole system was refashioned to suit each little emergency. The art trade in Britain is suffering from this. Given the chance of buying a comparable work of art in Britain and, say, Switzerland, there is no doubt about which way we would go."

Walsh claims that even the British acknowledge the arbitrary

nature of the rules. "I find that a remarkable number of British academics take me to one side and apologise for what goes on," he says.

However, he appears not to grasp fully the politics of the art export debate. It is perhaps not easy for a Californian to understand how a former imperial power feels about a newly-created gallery on the other side of the world selecting art works from the national table like a diner lifting ham on to his plate. His plea, instead, is for "fairness" and he insists that, by speaking up now, he is merely voicing the frustrations of acquisitive galleries around the world.

"There is a real worry among people in the trade and I speak as one of many foreign buyers," he says. "A system meant to save works of art for Britain and put them in public institutions has put them back in private hands. At the Getty we show everything we have got, virtually. British people might well ask what is the catastrophe of another painting leaving a house in Norfolk, where a handful of people see it, and going to the Getty museum, where it will be cared for and seen by a million and a half people a year — and seen by many more British people than would ever see it in Norfolk?"

QUENTIN LETTS

## Heart of oak, elm and ash

Among the young British sculptors who turned to the land for inspiration in the late 1960s, David Nash has always been distinguished by his consuming passion for wood. While Nash's exact contemporary, Richard Long used anything he could find on his epic walks through the countryside, Nash the carver remained faithful to unseasoned fallen timber. He also stayed put in the remote Welsh mining town of Blaenau Ffestiniog, where a Victorian Nonconformist chapel has served as his lofty studio ever since he bought it in 1968 for just over £200. Here, in an airy and luminous space dominated by a Welsh wall inscription calling on the congregation to "sanctify this house with prayer", Nash's love affair with elm, oak, pine, beech and ash still flourishes today.

His own roots in the area go back to childhood, when

Richard Cork  
on sculptor  
David Nash's  
love affair  
with wood

Nash's family spent the school holidays in the Vale of Ffestiniog. Its beauty was instrumental in persuading him to move there at the age of 21. But Blaenau is startlingly at odds with the sublime allure of the Snowdonia National Park surrounding it. Visitors making their way to Nash's studio are often disconcerted to discover the starkness of the setting. Julian Andrews, in his handsome new book on the sculptor (Lund Humphries, £45), describes it as "a black moonscape of abandoned quarries and slate tips".

After a while, though, Nash's involvement with such a wounded locale makes redemptive sense. For his healing imagination is governed by the need to honour the wood he carves. Everything he produces is charged with a keen awareness of the material's fundamental identity, and draws strength from his desire to give dead timber new life.

In defiance of the post-industrial obsolescence around him, then, Nash insists on rebirth. Indeed, he is perhaps best known for the open-air projects carried out near his home. The *Ash Dome* is still growing in the 30ft circle he planted at Cae'n-y-Coed in 1977, on a woodland site inherited from his father. Every ten years the 22 trees are cut and bent over, so that they will eventually meet in a canopy. Nash relishes the long-term nature of such an enterprise and accommodates himself to the slow, seasonal rhythm of a nurturing process that would infuriate more impatient artists.

How can these concerns be conveyed in a gallery setting? The question is prompted by a flurry of substantial shows devoted to Nash's work this autumn. The largest, a two-part survey of his sculpture and drawings at the Henry Moore Institute and neighbouring Leeds City Art Gallery, contains some evocative images of his outdoor activities. For Nash uses drawing to meditate on the relationship between his planted works and the landscape they inhabit. With great economy, he deploys an unorthodox mixture of graphite, earth, charcoal and pastel to define the forms of planted larches at Cae'n-y-Coed. Although the emphasis on new growth is optimistic enough, Nash is conscious of its vulnerability. One 1978 charcoal and earth study of a single tree on the *Ash Dome* site stresses the trunk's slender frailty. Elsewhere, a 1974 wax crayon and graphite drawing of Blaenau slate tip shows how intently he scrutinised his own damp and shadowy habitat.

At the Henry Moore Institute, his attentiveness to the intrinsic nature of wood is inescapable. We become in-



Trial by fire: *Sphere, Pyramid, Cube (1996)* by David Nash. "The constituent parts may be damaged, but they retain their geometric identities"

tensely aware of the cedar, palm and Australian pine in different pieces, handled with a respect allaying him to the doctrine of "truth to materials" that nourished so many fine carvings in early 20th-century Britain. By the 1930s, however, even its most heartfelt adherents were moving away from their dependence on the stimulus provided by a block of wood or stone. Hepworth and Moore devoted much of their energy after the Second World War to bronze, and the young Nash was himself excited by encountering Caro's revolutionary metal sculpture in the 1960s. By resurrecting "truth to materials" a decade later, he might have laid himself open to accusations of nostalgic revivalism.

The truth is, though, that Nash's carvings are quite different from the work produced by Epstein, Gaudier, Gill and their successors. They invariably chiselled their blocks into heads or figures, whereas he relies on retaining and cherishing the essential character of the timber in question. A three-piece sculpture called *Wall Sheaves*

presents clusters of beech, sliced to a delicate thinness and up-ended very simply in vertical ranks. Although they hint at the density of a forest, Nash does not strive to make them undergo a metamorphosis. They are what they are, without any sense of strain.

This lightness of touch distinguishes the deft incisions in a tall lime carving called *Crack and Warp Column*. As its title implies, Nash welcomes the natural fissures and undulations that appear in a work after completion. Working with wind-felled rather than processed timber, he regards the subsequent bending and splitting of the wood as an inevitable and integral part of the sculpture. The pleasure afforded by his work depends to a remarkable extent on a willingness to let the unseasoned material benefit from these anticipated accidents. They make me want to run my fingers over the carvings' pitted surfaces, exploring the widest and deepest clefts with as much relish as I might experience when touching the ribs in a tree-trunk.

Just how much Nash himself savours irregularities in wood can be gauged from the

permanent sculpture he recently installed in Manor Gardens, the parkland setting of the Towner Art Gallery, Eastbourne. Fascinated by the weathered groyne on the nearby seafront, he chose a group due for replacement. They now stand upright in a loose circle, bordered by a low

'Nash honours the wood that he carves'

wall of sliced timbers. The gnarled presences assert themselves with surprising potency, creating a contemplative place within the gardens and testifying to the incessant action of the sea over 25 years. Nash calls the work *Eighteen Thousand Tides*, highlighting the remorseless erosion of each oak buttress. But all these shingle-clogged pillars look remarkably resilient in their new enclosure, given an ex-

tended lease of life by a sculptor who relies here to a greater extent than ever on the unaltered strength of "found" objects.

As a rule, though, Nash retains the right to shape and alter the wood he selects. In a powerful and satisfying new show at the Annelly Juda Gallery, each work occupies the white space with impressive assurance. A tripartite elm sculpture reveals Nash at his darkest, exploring the injured forms of a cube, sphere and pyramid. All three have been gashed open, disclosing interiors charred by fire. They look like survivors of a sacrificial ritual, and the scorch marks have in some places besmirched the warmth of the form's exterior as well. There is nothing tragic about this sculpture, however. Its constituent parts may be damaged and blackened, but they stay firmly in position and retain their geometric identities.

As if to emphasise the durability of his burnt sculpture, Nash allows a black cross to emerge defiantly from the charred surface of his exhibit in a mixed sculpture show at Jesus College, Cambridge. Reflecting the discern-

ment and enthusiasm of the Master, Colin Renfrew, this excellent quinquennial show ensures that Nash's contribution is installed in a location as delicious as those enjoyed by all the other exhibits.

But the happiest marriage of site and carving is achieved at Annelly Juda, where the three thin, elongated parts of his superb *Spiral Sheaves* twist and intertwine on their way to the skylight. All heaven from a single piece of oak, these fragile-seeming slivers resemble at first the shell-shattered trees painted by the sculptor's namesake Paul Nash during the First World War. Ultimately, though, the poised and graceful lines of *Spiral Sheaves* overcome any sense of melancholy. Like so many of his finest carvings, they seem to be caught in the process of growing as they stretch upwards, striving for the source of the sunlight.

David Nash at the Henry Moore Institute and City Art Gallery Leeds (01132 343158) until Nov 24; at Annelly Juda (0171-629 7578) until Dec 21; and at Jesus College Cambridge until this evening.

*Burning Quest, Nurse Errant* and *A Highland Conquest*, are stacked 24 high and placed close together. A perfectly even, shallow saucer shape has been scooped out across and through the middle of this surface as if it were an open-cast mine. The detailed cover illustration gives way suddenly to a grey pool, and layers of printed word become smeared and disappear. This is the principal sculpture in a group of three new works by Rosie Leventon.

Rosie Leventon's *A Long Way from the Bathroom at the Cafe Gallery*, By the Pool, Southwark Park, Bermondsey, London SE16 (0171-237 1230) until November 3.

SACHA CRADDOCK

CLASSICAL CHOICE  
A guide to the best available recordings, presented in conjunction with Radio 3

Music of C.P.E. Bach  
Reviewed by  
Richard Wignmore

FOR most music-lovers in the last quarter of the 18th century, the name "Bach" meant not Johann Sebastian but his most talented son, Carl Philipp Emanuel (1714-58), who spent much of his life as harpsichordist at Frederick the Great's Berlin court. In the 19th century, though, C.P.E. Bach's stock plummeted as his father's rose. But recently Emanuel Bach has benefited from the general surge of interest in 18th-century music and, especially, in period keyboard instruments. His best works reveal him as one of the most original figures of the century, a wayward, wilful spirit, with more than a touch of the romantic visionary.

There are several desirable recordings of Bach's keyboard music, including Bob van Asperen's three-disc mid-price sets of the early "Prussian" and "Württemberg" sonatas (Teldec 9031 77623-2). But for a single disc of Bach's keyboard works you won't do better than a recital by Andreas Staier: colourful and poetic performances, using a harpsichord in the earlier works and a fortepiano in a late piece like the witty, late piece *Fantasia in C* (Haydnish Harmonia Mundi RD 77025, £15.49).

Bach's handful of concertos for flute and for cello have turned up quite often on CD, and I would single out an



exhilarating disc of cello concertos with *Anner Bylsma* (Virgin Classics, VCI 95541-2). The vast majority of his 50-odd concertos, though, are for the harpsichord. A few years after leaving Berlin for Hamburg in 1768, he composed a set of six bold and volatile harpsichord concertos. The music's inspired unpredictability is relished by van Asperen on a Virgin Classics two-disc set at mid-price (VCD 5 45094-2).

Outstanding among Bach's many choral works composed in Hamburg are the beautiful *Resurrection cantata*, *Die Auferstehung und Himmelfahrt Jesu*, and the monumental *Heilig*, for double choir and orchestra. The *Heilig* comes on a disc in Capriccio's C.P.E. Bach Edition, which also features Bach's picturesque setting of Klopstock's *Morning Hymn* (Capriccio, 10208). But if I were confined to just one Bach CD, it would have to be the Archiv disc of the six string symphonies composed in 1773. The performances by Trevor Pinnock and the English Concert are as stunning as the music itself (Archiv 415 300-2).

To order the recommended recording, with free delivery, please send a cheque payable to The Times CD Mail to 250 Western Avenue, London W3 6XZ or freephone 0500 418419; e-mail: [bid@mail.bogo.co.uk](mailto:bid@mail.bogo.co.uk); Next Saturday on Radio 3 (1pm): The Songs of Henri Duparc

A GALLERY with a rough wooden floor has been unmissably converted to make a particularly suitable space for this kind of exhibition. A strong reminder of past function enhances rather than interferes with this minimal material. Three exceedingly simple small white paintings made by Robert Ryman in 1993 are fastened to the wall by screws or nails and hung with a good deal of space in between. This provides an unusual opportunity to concentrate on the surface of a Ryman painting without being crowded in by the overall style of a show. Two pieces by Ian Wilson dating from 1968, one a 2ft-diameter circle drawn in pencil on the wall and another a larger circle drawn with Chingraph pencil on the floor, are

accompanied by his more recent, conceptually thorough book. Robert Ryman and Ian Wilson at *Genesta*, 47 Charterhouse Square, London EC1 6EA (0171-600 7799) until November 23.

THERE has been a subtle change in the scale and language of Basil Beattie's paintings. The six very large recent works currently on display appear more full frontal than ever, and yet paradoxically carry within them areas, vignettes and sections of more particular "telling" detail. Beattie deposits a variety of drawn and painted patches of illusion — receding lines and tunnels, for instance — into pockets of space. He varies the volume of paint and

## AROUND THE GALLERIES

attention enormously across the surface and leaves aside patches of raw canvas. This results in paintings that are powerfully confident. Basil Beattie, *Todd Gallery*, 1-5 Needham Road, London W11 2RP (0171-794 1404) until November 23.

TWO black constructions, rather like hybrid beach huts, sit side by side at the back of the gallery. Spied through one of the open stable door hatches is a line-up of neatly packed furred black umbrellas, while in the other a mass of black flying kites seem to swarm like overgrown

insects. The use of black here is somehow warm. A recording of the desolate and empty crying of seagulls plays in and out of the consciousness. On the empty long wall Lucia Nogueira places another element; a framed, brightly coloured photograph in which an orange ball is suspended high against a patchy cloudy sky above a running fraction of wall. These apparently disparate elements create a strangely powerful atmosphere.

Lucia Nogueira at *Anthony Reynolds Gallery*, 5 Dering Street, London W1R9AB (0171-491 0621) until November 7.

PILES of pulp novels, a sea of titles such as *Love Has Two Faces*, *The*









THEATRE

Do multimedia shows by the likes of Robert Lepage point the way to the future?



POP

Grunge is alive and well and living in the back of a tour bus with Pearl Jam

THE TIMES ARTS



JAZZ

Courtney Pine offers a combustible fusion of jazz and hip-hop in tandem with Incognito



TOMORROW

From its haphazard beginnings to its global triumph, British television celebrates its sixtieth birthday

THEATRE: As Robert Lepage's *Elsinore* begins its tour, Andy Lavender looks at the rise of multimedia

# Curtain up on the multi-magic show

The phrase "mixed media" once described a plain old theatre show dressed up with slide projections, or someone wheeling a TV monitor around. Glance today at the programmes of arts organisations nationwide, however, and you will note the inexorable advance of all things multimedia: digital and interactive.

It is understandable if artists want to use the latest gadgets to create head-turning effects, but much of the work reveals a deeper truth. Our electronic age is best explored through the computer and video technologies we now live with. Multimedia art is more widely practised today than ever before, and there is every sign that it points us to the theatre of the future. Its latest pioneer is the renowned French-Canadian director, Robert Lepage. You may have seen his eight-hour epic, *The Seven Streams of the River Ota*, at the National Theatre recently. If so, you will be familiar with the way he uses slide projections, video images and computer effects to develop the show's action and themes. Lepage has extended these concerns in *Elsinore*, his one-man (and a double) version of Shakespeare's *Hamlet*, which begins a national tour next month.

"*Elsinore* is a big technical showcase," Lepage admits. "I'm a bit burdened by the fact that people come to see 'Lepage play Hamlet', but what's more interesting is to see how you can use technologies to try to tell a story. How does it change it, and how does it bring insights to parts of it?"

The set of *Elsinore* consists of three screens. At times they take "backdrop" slide projections: rows of books in a library for Hamlet's first scene with Polonius, for instance, and an ornate tapestry for the scene in Gertrude's bedroom. They also show live images from cameras positioned strategically out of sight. Lepage's Hamlet, his back to the audience, looks through a doorway in the central screen to talk to Horatio. Around him his magnified image is projected face-on — a simple device which echoes



Technical showcase of the way ahead for performance: video screens plus live action on stage in a scene from *Elsinore*, Robert Lepage's one-man version of *Hamlet*

the play's motifs of secrecy and revelation. Hamlet's final duel with Laertes is staged behind the screen, with the audience watching by means of a minuscule camera in the handle of one of the rapiers.

You might think that theatre, by nature live and three-dimensional, would fit uncomfortably with the flat recordings of the video age, but Lepage's achievement in *Elsinore* is in making the two media dovetail.

A number of British practitioners are eagerly treading this path, and you will not be surprised to find choreographers doing so most notably. Consider two of the shows in this year's Dance Umbrella festival. V-TOL's *By Force of Fantasy* is about voyeurism, desire and casual sexual encounters. Some of the show's content is opaque, but the images are arresting and imaginatively treated. One filmed sequence

shows two women at a café table. This is intercut with staccato images of the pair together in a dark room, undressing. On stage, the women dance acrobatically together around two airport lounge chairs. This urban fling, then, is figured jointly through the sweaty abandon of dance and the cool observation of film.

Mark Murphy, V-TOL's director, recently honed his cinematic

skills at the New York Film Academy, a trip which has obviously paid dividends. He explains the ways that film images can enhance a live performance. "A lot of the time it works on a subtextual level," he says. "Your eye can't pick out small details on stage, but with film, through extreme close-ups, you can foreground minute details. You can also use film for its editing textures, which can be to do with

velocity. And I'm interested in the juxtapositions you can achieve — a huge mouth on the screen, for instance, and an actual person against it on stage. In a funny way we're getting closer and closer to a movie that's also a live show."

You could have enjoyed a different kind of live experience with *Say a Little Prayer*, an installation (with accompanying dance piece) presented by Rene Eyre and Chris

Nash in a former Sunday School room at the Union Chapel in Islington. The show explored the family history of three generations of women. The ground floor consisted of three huge red books and a double bed. As you wandered from one to the other, infra-red sensors would detect your presence and trigger sound, lighting and video effects. Upstairs, the balcony alcoves contained a number of additional "scenes". One, for instance, was arranged as an old kitchen. You looked into the deep sink to see some white plates and saucers covered by a scrim of water, and as you did so, the sepia-coloured face of a young woman materialised, singing *Love's Sweet Song*.

Evocative effects like these owe much to the show's technological specialists. Gerald Wells's job description — digital interaction — has to be one of the most striking in contemporary art. Wells connected a central PC to six Macintoshes running the various effects, presiding over the computer equivalent of Israeli and Palestinians congregating for a garden party. This may well be an achievement, but the installation was also impressive in using its technologies so discreetly, so that you concentrated on what they were revealing.

This is a testing period for multimedia work. The equipment is expensive, and it is difficult for artists to have access to it. Meanwhile the funding bodies are still discomfited by projects which do not fit the usual pigeonholes. Even so, there is a rich seam to be mined, and Lepage has established a research centre in Quebec precisely for this purpose.

"It's a very pretentious and ambitious project," he says. "But the more I work in different places around the world, the more I really see how live performance and recorded performance are moving towards one point. It's all going to be meeting in the next few years and it's coming very quickly."

*Elsinore* begins a national tour at the Nottingham Playhouse (0115 949449) on November 20. *By Force of Fantasy* is touring, and is at The Place Theatre (0171-387 0031) today and tomorrow.

## Latin revision made easy

AS MUCH of our popular music sinks deeper into nihilistic dross, a talent such as Caetano Veloso's must be cherished at both hands. This magnificent concert, the most absorbing I have seen at the South Bank all year, reaffirmed his place in the noble tradition of Latin American troubadours.

Veloso's early reputation, established three decades ago, rested partly on his introduction of rock textures into the music of Brazil. Caetano's achievement was to absorb some of the primal vigour of rock 'n' roll without compro-

missing the subtleties of his own heritage. Veloso has aged gracefully, relying on artistry rather than on-up decibels or Jagger-style posturing. His masterful collection, *Fina Estampa*, recently found him in retrospective mood as his expressive light tenor reclaimed vintage ballads — including the title tune by the Peruvian Chabuza Granda — from Brazil's Spanish-speaking neighbours.

Against the backdrop of a Diego Rivera mural, Veloso roamed back and forth across borders, rarely resorting to his native tongue in the first half while he concentrated on material from the album. He acknowledged his debt to his countrymen Orlando Silva, João Gilberto and Antonio Carlos Jobim, the latter represented by a graceful treatment of *Chega de Saudade*.

The Jobim connection was underlined by the presence of cellist Jacques Morelenbaum, Veloso's co-producer and a pivotal member of Jobim's bands. Along with double-bass player Zeca Assumpção and percussionist Marcelo Costa, he provided the infinitely supple framework for a distinctive quartet completed by the acoustic and electric guitars of Luiz Brasil.

CLIVE DAVIS

## POP: Grunge may still live, but jazz fusion is a bit poorly

### Ready yet, Eddie?

Pearl Jam  
The Point, Dublin

IT MAY have been only the second date of their extensive European tour, but if the enthusiasm shown by the 8,000 Pearl Jam fans at the Point is to prove typical of the audience feedback, Eddie Vedder may well start to enjoy being a rock star again.

Though he may never fully get over the circumstances in which he became Seattle's premier living grunge icon, Vedder seems to be tentatively lifting, rather than furtively burying, the poisoned chalice he inherited from Kurt Cobain. And, as he stood before his worshippers with

his head arched towards the heavens and his arms spread preacher-like in front of him, it was easy to believe that some form of exorcism was taking place before our eyes.

That said, the still medi-



Pearl Jam: a result in Dublin without playing a blinder

### Sparking without catching

Incognito  
UEA, Norwich

IN EVERYDAY language, fusion suggests a harmonious integration: in nuclear physics, it describes a dramatic disintegration. Incognito are musical exponents of the first kind of fusion, with their seamless blend of jazz, funk and salsa. Courtney Pine, occupying the supporting slot, provided a more combustible fusion of jazz and hip-hop.

Incognito have been putting out skilfully crafted records for the past five years, earning the odd hit — most famously *Always There* with Jocelyn Brown. Each album has nudged its way into the British Top 50. The band's leader and main songwriter, guitarist Jean-Paul Maunick, has worked with some of the new heroes of American black music: R Kelly and D'Angelo.

Even so, Incognito have not enjoyed the kind of career that earns them a high profile; but they have, in their own quiet way, become an established part of the landscape.

They tour relentlessly and enthusiastically. The strutting rhythms of *Roots* were driven by Randy Hope-Taylor's twanging bass and by Maysa Leak's inspired vocals. On *Always There* the band lined the front of the stage, as the brass section lifted the song with infectious riffs.

Unfortunately, it was not always so exhilarating. Sometimes the smoothly orchestrated 12-piece band (with four

with a detachment more becoming a roadie than a lead singer.

The set comprised material from all four albums, and tracks such as *All Hail or Habit* from the recent *No Code* record were greeted almost as warmly as the older favourites, *Even Slow*, *Alive* and *Blood*.

For my money, though, the band was more workmanlike than inspired — but then, the memory of seeing the same musicians last year in their role as Neil Young's backing band is still vivid. On that night, they were a poor proxy to Crazy Horse and clearly dwarfed by the colossal artistry of their generic godfather.

This time, with their original formation in place and before a "home" crowd of sorts, the playing field was more even. And so there was widespread air-punching by the fans as well as the odd singalong and sporadic lighter-waving (not least during the five-song encore, book-ended by the current single *Who You Are* and *Yellow Ledbetter*). But over the course of the 100 minutes they occasionally got bogged down in midfield and discernibly lacked something up front.

NICK KELLY

THE TIMES

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CHANGING TIMES



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# Dealing with intimidation

There is another way of looking at a refusal to tell the truth, says

Gary Slapper

Last week two women who had been jailed for contempt of court after they refused to give evidence against a defendant charged with causing grievous bodily harm were freed by the Court of Appeal. The case highlighted several defects in the way that the law operates when crime victims and witnesses are intimidated into silence.

Sarah Holt, 20, had been jailed for three months at Chelmsford Crown Court when she declined to go into the witness box and testify against her former boyfriend, Alex Fryatt. The trial judge also jailed Ms Holt's friend, Sophie Bird, 22, for two months when she also refused to give evidence. As a result of these refusals, the case against Mr Fryatt collapsed and the proceedings were discontinued.

The young women claimed that after Mr Fryatt had been arrested for allegedly committing a savage attack on Ms Holt in her flat, breaking her jaw and causing other serious injuries in front of Miss Bird, both women received threats that reprisals would follow if they went into the witness box. Some of these threats were made by phone from the prison where Mr Fryatt was on remand.

The trial judge, who, along with lawyers for the defendants was apparently unaware of the threats, took the view that the women were



Sarah Holt, left, and Sophie Bird leaving the High Court last week after their release from prison

in contempt of court and had them jailed. In freeing them, the Court of Appeal urged the Crown Prosecution Service to make more use of Section 23 of the Criminal Justice Act 1988, a provision that had not been utilised in the case. Under this provision a court can hear a written statement from a witness instead of requiring him or her to be in court, if the witness will not attend "through fear or because he is kept

out of the way". The fear does not need to be objectively reasonable, provided it is genuinely experienced.

This procedure is also subject to the proviso that the statement to be read was sworn to a police officer, and be such that it would be direct (as opposed to hearsay) evidence if it were spoken. Additionally, the court must regard admission of the statement as "in the interests of

justice", taking into account the potential detriment to a defendant who cannot in such circumstances cross-question the witness.

The women were jailed for contempt of court, but it is also a very serious contempt of court to threaten a witness in a criminal trial. When evidence of intimidation arises early enough in a criminal case, it would be possible to suspend proceedings in order to

have any alleged intimidation thoroughly investigated.

Another issue of law relevant to incidents that led to the silence of Sarah Holt and Sophie Bird in court is duress. In a case in 1971 with similar facts, two women were convicted of perjury after they gave false testimony in a trial arising from a street fight in Salford, Greater Manchester. They showed, on appeal, that the reason they had lied under oath was that they had been threatened by an associate of the defendant not to testify against him, and in court the man who had threatened them was in the public gallery.

The Court of Appeal in the 1971 case held that duress is a legal defence to perjury provided the person intimidated had his will overborne by the threats at the time of the perjury. The fact that the man in the public gallery could not execute his threats in the courtroom would not matter. Lord Parker said, "if they could be carried out in the streets of Salford the same night". The same defence would apply today to anyone accused of contempt of court if their will to testify had been neutralised by a threat that was "present and immediate".

Violent crime is on the increase. It rose by 10 per cent in the year to June 1996 to 331,000 cases. Reports of intimidation of witnesses are numerous. The problem is that there is little the machinery of criminal justice can do about this type of witness jeopardy. Offering 24-hour police protection to all witnesses in potential danger of reprisals is probably impossible. Perhaps the problem should be addressed from a different direction by reducing the social causes of violence.

Dr Slapper is Principal Lecturer in Law, Staffordshire University.



## Wall Street turns tables on the City

In one of the biggest law firm raids in recent times, the Wall Street firm Shearman & Sterling last week snatched all four UK project finance partners from the London office of the American firm Milbank, Tweed, Hadley & McCloy. The four partners — Kenneth MacRitchie, Nick Buckworth, Calvert Miller and Stephen Peppiatt — have helped to build up a £5 million practice from scratch in 2½ years, and are highly rated by competitors.

Stephen Volk, Shearman's senior partner, said: "This move enables us to accomplish two prime objectives in one — English law capability and solid depth in a burgeoning practice area."

The move definitively increases the going rate in the all-important project-finance area. The two key players, Mr MacRitchie and Mr Buckworth, formerly at Clifford Chance, are understood to be joining Shearman & Sterling on a package in excess of £500,000, which includes a golden hello. Mr Miller and Mr Peppiatt, the younger partners, are thought to be on about £200,000. If big-name partners are being tempted by money, this is a worrying development for City firms, where profits are lower than on Wall Street.

While other US firms have started to compete directly with City firms by hiring UK lawyers, this is the first of the Wall Street elite to join the fray. Bill Tudor John, senior partner for Allen & Overy, said: "The English firms will have to take this seriously. It is the first time a top-flight American

firm has decided to do this."

Yet up until now, Shearman's has hardly figured in the project finance big league, despite its reputation for banking and securities work and its close relationship with Citibank. According to a recent survey by *The American Lawyer*, the firm ranked only 14th in both the number of deals and dollar volume. In the same survey, Milbank's practice closed 34 project financings in 1995 with a total value of \$19 billion (£12 billion). Despite this, Milbank viewed the four-partner defection seriously enough to fly two executive committee members to talk to the one US partner and 11 UK assistants who now remain in the London office.

But was it just money that prompted the move? Certainly, Mr MacRitchie and Mr Buckworth's deal with Milbank (*Legal Business* reported they were on about £300,000) was small beer compared to their former Clifford Chance colleague Maurice Allen, who moved to Weil Gotshal & Manges, the US firm, for £500,000, at the end of last year.

Yet the move may have been as much about strategy as cash. A project-finance practice increasingly needs access to complementary capital markets and M&A skills — something Shearman's has in abundance. Yet after the euphoria, Shearman will have to address one key question: having acquired the four partners, how are they going to keep them?

CATRIN GRIFFITHS  
The writer is editor of *Legal Business*.

## The Lord Chief Justice lends support to a proposal to change the way commercial grievances are resolved

LORD BINGHAM of Cornhill, the Lord Chief Justice, gave his first public backing to Lord Woolf's plans for much greater use of alternative dispute resolution (ADR) last week at the bi-annual conference hosted by the Centre for Dispute Resolution (CEDR). Frances Gibb writes.

He was not alone: a line up of judges lent their support, including Judge Ford and Judge Butler, who are overseeing pilot projects in ADR at the London Patents County Court and Central London County Court, respectively; and also Mr Justice Colman, the driving force behind the landmark practice direction in July, invit-

## Judges give an aye to the use of more ADR

ing judges to take a lead in promoting ADR where suitable in commercial disputes.

With the judges on side with Lord Woolf's proposals that ADR should be considered as a means of settling disputes before going to trial, the hour has come for bodies such as the CEDR which, under Sir

Alex Jarratt and Professor Karl Mackie, have been quietly pushing ADR for the past five years.

Now it will fall to the legal profession to do its bit. Lord Alexander of Weald, QC, the NatWest chairman, expressed doubt about "whether the legal profession as a

whole had moved to wholesale acceptance that there must be radical change". He said: "There is still a whole sea-change necessary in regard to ADR."

For some firms, though, ADR is more than just a buzz word. Baker McKenzie, the City law firm, were awarded the 1996 award from CEDR for its "very significant contribution" to ADR. The firm has mounted an extensive training programme for its lawyers and new trainees in commerce and litigation, and they also have a continuing programme of ADR education. The runners-up were Clifford Chance and Lovell White Durrant.

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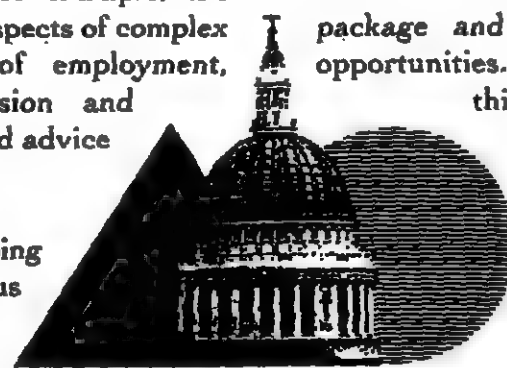
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## Ginola: deep thinker

That is not to say that he is Sartre, but he does have a well-rounded view of English society and a rare political insight for a footballer marooned in a culture not so much strange to him, but totally alien. He finds English culture baffling.

"If you respect money, then it can do great things to help people, but we live in a world where people use it in the wrong way. In England, it is very apparent. You have the Queen, who doesn't work, and has the greatest fortune in the world. Then you have the workers. There is a huge divide, and I sense it is maybe

He talks, too, about poverty in England, where the poor have lost their self-respect. He believes that, if England is to change, then it must awaken to the false morality under-

It is, he says, because of his family. He is happiest with them, he

"I am not unhappy, my wife is not unhappy, we do not want to leave even though it has been written all the time. We were burgled, and people said I wanted to leave the country because of it, but I don't. Of course, my wife wanted to get out of the house, but you would, if the person had come into your home by the window of your daughter."

"But, for many fans, football is an escape; they want to have pleasure, and I want to give it to them. I try to help defend, but I will always be a striker, that is my philosophy, and Kevin Keegan understands that."

Hidegkuti, right, scores Hungary's sixth goal in their historic victory over England at Wembley in 1953. Photograph: Popperfoto

well. "The football is always faster than the footballer," Hidegkuti once said. Later, coaching in Florence, he observed: "More and more people are thinking about the game today — and the more they think, the worse the game becomes."

Some of them are now dead, but, before they went, they became wine merchants back in Budapest, coaches spreading their wiles in Africa.

Spain and Greece to launch a scheme a year ago to persuade the Romyany population to give their feeling for music and art to the lost Hungarian skills of football.

They have lost it, but it was remarkable, in the first place, that an occupied country of ten million people could produce football to teach the world.

This was the team that destroyed English illusions at Wembley in November 1953: I. Gyula Grosics; 2. Jeno Buzanszky; 3. Mihály Lantos; 4. Jozsef Bosticz; 5. Gyula Zsolt; 6. Zoltan Zakarias; 7. Laszlo Budai; 8. Sándor Kocsis; 9. Nándor Hidegkuti; 10. Ferenc Puskas; 11. Zoltan Czibor.

**By KEVIN MCCARRA**

The manager, however, cannot really hope to topple some firmly-based pessimism about tonight's second-round match. As Liverpool found in losing to them a year ago at the same stage of the UEFA Cup, Brondby exude effi-

This season, Aberdeen have become a more stable club and the 1-0 victory over Raith Rovers on Saturday, laboured though it was, ensured that the confidence built in the 2-2 draw with Rangers at Ibrox the previous weekend was not dissipated. The side is unlikely to progress this evening, but Aitken is intent on ensuring that his self-belief survives.

Last season, Aberdeen won the Coca-Cola Cup but proved an inconsistent team. European football cannot be used as the proper measure for judgment of the club's improvement and Aitken's plans are unlikely to be shaken by any events on the field of play against Brondby.

Neil Lennon, the Leicester City midfield player, last night dismissed claims that he made obscene gestures of

Tommy Wright has been recalled to the Northern Ireland squad for the World Cup group nine qualifier against Germany in Nuremberg on November 9. The Nottingham Forest goalkeeper, 33, is presently on loan to Reading, and had considered retirement last season after a long struggle with a knee injury.

## FOR THE RECORD

## AMERICAN FOOTBALL

NATIONAL LEAGUE (NFL) Atlanta 17 Birmingham 20; Baltimore 37; St. Louis 31 San Francisco 20; Jacksonville 21; New Orleans 7 Pittsburgh 3; Green Bay 10; Tampa Bay 7 Houston 9; New England 10; Philadelphia 10; Carolina 8; Washington 10; Dallas 10 16; Arizona 21; Miami 33; Denver 34 Cleveland 3; New York Giants 29; Seattle 10; St. Diego 13; New England 29; Buffalo 26					
American Conference					
Eastern division					
	W	L	PF	PA	
New England .....	5	3	202	165	
Buffalo .....	3	8	129	145	
Cincinnati .....	3	7	142	145	
Alto .....	4	4	178	150	
Jay Jets .....	1	8	145	233	
Western division					
	W	L	PF	PA	
Pittsburgh .....	5	2	164	120	
Cleveland .....	5	3	183	163	
Cincinnati .....	5	3	196	232	
Cincinnati .....	3	6	172	281	
Cincinnati .....	2	7	156	181	
National Conference					
Eastern division					
	W	L	PF	PA	
Washington .....	7	1	182	111	
Philadelphia .....	2	2	180	158	
Jacksonville .....	5	3	165	117	
Arizona .....	3	5	119	188	
Jay Jets .....	5	5	124	154	
Central division					
	W	L	PF	PA	
Green Bay .....	7	1	240	99	
Indianapolis .....	5	2	127	116	
San Diego .....	4	1	189	159	
San Diego .....	2	6	180	158	
San Diego .....	7	1	85	165	

Western division				
San Francisco . . .	6	2	193	115
Calgary . . .	5	3	173	111
New Orleans . . .	5	3	171	105
St. Louis . . .	2	6	136	222
Atlanta . . .	0	6	140	227

(Not including last night's match: Minnesota 4, Chicago 1)

FEATURES: Sunday: Atlanta vs. Carolina; Baltimore vs. Cincinnati; Chicago vs. Tampa Bay; Dallas vs. Philadelphia; Green Bay vs. Detroit; Indianapolis vs. San Diego; New York vs. Pittsburgh; Philadelphia vs. St. Louis; Buffalo vs. Washington; Minnesota vs. Kansas City; New England vs. Miami; Seattle vs. Houston; San Francisco vs. San Francisco. Monday: Oakland vs. Denver

[illegible][illegible][illegible]

**QUEBEC:** Women's tournament: Final: L Raymond (USA) 1-2 G Collins (SA) 4-4, 6-4.

**PARIS:** Men's tournament: First round: M A O'Connell (USA) 6-4, 6-4; 2nd round: Vaccoi (C) 1 J Sánchez (ESP) 6-3, 7-4; P Korda (C) 2 M Woodbridge (AUS) 6-4, 5-7, 6-4; 3rd round: J Sánchez (ESP) 6-4, 6-3; M Larsson (SWE) 6-2 U Nethlich (C) 6-4, 6-1; M Gustafsson (SWE) 6-2 C Caratti (I) 6-3, 4-6, 6-3; 4th round: C Caratti (I) 6-3 S Brugnera (S) 6-3.

**ATP RANKINGS:** 1, P Sampras (USA) 4,807pts; 2, M Chang (USA) 3,886; 3, Boris Becker (GER) 3,875; 4, Andre Agassi (USA) 3,252; 5, G Ivanisevic (C) 3,222; 6, T Muster (AUT) 3,196; 7, W Ferreira (SA) 2,972; 8, J Krieger (AUS) 2,968; 9, J McEnroe (GB) 2,830; 10, M Paez (C) 2,800; 11, T Martin (USA) 1,923; 12, T Evancich (I); 13, J Korda (C); 14, A Coles (SP) 1,737; 14, J Courier (USA) 1,684; 15, F Mieretta (ITA) 1,589; 16, J Stepanek (HKG) 1,548; 17, M Stich (GER) 1,518; 18, S Ebborg (SWE) 1,492; 19, A Beneshajski (C) 1,458; 20, C Piccini (ITA) 1,458; 21, A Cornejo (SP) 1,463; 22, M Washington (USA) 1,613; 23, S Rostest (SWE) 1,408; 24, J Krieger (AUS) 1,347; 25, T Herrman (GB) 1,263; 26, M Woodbridge (AUS) 1,241; 27, R Henning (USA) 1,291; 28, J Korda (C) 1,250; 29, P Sampras (USA) 1,222; 30, J McEnroe (GB) 1,221; 31, G Ruessolo (GB) 807; 190, C Wilmson (GB) 213; 193, D Sapsford (GB) 190; 194, J Korda (C) 190; 195, P Sampras (USA) 190; 196, J McEnroe (GB) 190; 197, J Korda (C) 190; 198, J Korda (C) 190; 199, J Korda (C) 190; 200, J Korda (C) 190.

**NATIONAL LEAGUE:** Women's First division: 1, West of Scotland 2; 2, Birmingham 3; 3, Essex Eastlands 1; 4, Ashchurch Guildford 3; 5, Manchester United Salford 3 London City 3; 6, Liverpool 3; 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642,

ing director, Karren Brady, were committed to Crown Court on November 15 for allegedly issuing misleading ticket prices.

Neil Lennon, the Leicester City midfield player, last night dismissed claims that he made obscene gestures at

**POOLS FOR**

Saturday November 2  
Coupon No. 8498, Forecast

**FA PREMIERSHIP**

1 A Villa v Nottingham 1  
2 Derby v Leicester 2  
3 Leeds v Sunderland 1  
4 Man Utd v Chelsea 2  
5 Sheff Wed v South Point 1  
6 Middlesbrough v Arsenal 1  
7 Wimbledon v Arsenal X

**FIRST DIVISION**

8 Bolton v Cardiff 1  
9 Bradford v Ipswich 1  
10 Norwich v Charlton 1  
11 Oxford v Ipswich X  
12 QPR v Arsenal 2  
13 Portsmouth v W Brom 1  
14 QPR v Stoke 1  
15 Southampton v Reading 1

**DRAWN** (home teams): Leeds, Wimbledon, Gouzenou, Wrexham, Bournemouth, Wrexham, Hartlepool, Hereford, Clydebank, Stirling

**BEST DRAWS:** Leeds, Tranmere, Gouzenou, Wrexham, Hereford.

**WAYS:** Tranmere, Bournemouth, Luton, Burnley, Tranmere

16 Swindon v Man Utd 1  
17 Tranmere v Cardiff 1  
18 Wolves v Barnsley 1

**SECOND DIV**

19 Bournemouth v Wrexham 1  
20 Bristol v Cardiff 1  
21 Crewe v Wolves 1  
22 Bristol v Cardiff 1  
23 Notts Co v Sheff Wed 1  
24 Peterborough v Wrexham 1  
25 Plymouth v Luton 1  
26 Preston v Rotherham 1  
27 Watford v Brentford 1  
28 Wrexham v Cardiff 1  
29 York v Burnley 1

**THIRD DIV**

30 Carlisle v Wrexham 1  
32 Colchester v Wrexham 1  
33 Colchester v Cardiff 1

## RECAST.

City	34	Fairfax in Lincoln	1
ance	1	35 Harford by Brighton	X
ity	1	36 Harford by Bamber	X
ASON	1	37 Hill at Cambridge	1
ny	1	38 Jarrow by Tyneside	1
gham	1	39 Mansd' of South p	1
ham	1		
1		SCOTTISH PREMIER	
1		40 Celtic v Aberdeen	1
1		41 Hearts v Dunf mill	1
1		42 Hearts v Dundee U	1
1		43 Raith v Rangers	1
1			
1		SCOTTISH RPS	
1		44 Clydebank v Falkirk	X
1		45 Dundee v St Mirren	2
1		46 G Morton v Aberdeen	2
1		47 St Johnstone v Fife	1
1		48 Stirling v Partick	X
1			
1		SCOTTISH SECOND	
1		49 Berwick v Hamilton	2
1		* Poole panel to adjudicate	

OMES: Aston Villa, Bolton, Bradford, Wolves, Millwall, Preston, Doncaster, Leeds, Hearts, Dundee

EDD OS: Hearts; Aston Villa, Bolton, Bradford, Crewe, Preston, Wolves, Southampton, Torquay, Rangers, Leeds, Walsham, Hereford

one stroke  
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SPORTS POLITICS

# Birmingham striving for academic success

By DAVID MILLER

BIRMINGHAM, in partnership with Birmingham University, yesterday became the first city to launch a formal bid to create the Government's proposed British Academy of Sport.

Lord Howell, the former minister for sport, outlined the city's plans yesterday at Alexander Stadium, one of the four centres around which the academy would be formed. There were ten-year-old boys, affiliated to Aston Villa FC, present, among several prominent West Midlands sports performers of the future. The academy, Lord Howell emphasised, was essentially a long-term venture.

"Don't expect miracles by the 2000 Olympics in Sydney," he said. "Getting fundamentals (competitive sporting opportunities among school children) restored will take until 2008."

Other bids are expected from Bath, Leeds, Liverpool, the London boroughs of Redbridge and Greenwich, Manchester, Sheffield and a consortium of Wrexham, Loughborough and Nottingham. The deadline is on Thursday.

The Government's prospectus accords no copyright to the bids, which means that the Government, in the shape of the new UK Sports Council, can, in theory, pick the best aspects from all the bids and then nominate, independently, its own site.

"The prospectus [released only in July] has glaring omissions," Lord Howell said. Among these were the lack of provision for annual administration costs, estimated by Birmingham's financial advisers to be something close to £10 million.

It was impossible, he added, for any bid to have provided, in the brief time available before the deadline, the guarantees of planning permission for facility development that are demanded in the prospectus.

Sir Rodney Walker, the chairman of the England Sports Council, which will fund the UK Sports Council, has said unofficially that, if the England Sports Council does not approve of the choice of academy site by the UK body, it will not allocate the £100 million of National Lottery funds that has been set aside for it.

Ignoring the Government's suggestion of a green-field site, Birmingham has opted for a "web-net" policy, utilising four areas of the city. They would be linked to existing sports-specific centres at Lilleshall, Holme Pierrepont (water-sports), Bisham Abbey, The Belfry, Plas-y-Brenin (mountain sports) and elsewhere: a policy advocated by leading sports performers and by the 26 sports governing bodies consulted by Birmingham.

The four centres would be West Hills to the south, which would have the prescribed 350-bed village, plus a cricket school; Birmingham University, where new swimming, gymnastics and tennis facilities would be built; the National Indoor Arena, already the venue for 13 world and European championships; and Alexander Stadium, where an additional indoor track would be constructed.

The British Olympic Association has been consulted as administrator of many of the elite programmes, and would be a cornerstone partner in the project, which would be run as a limited liability company to avoid placing onerous responsibilities on trustees. The city's financial commitment to the academy would be £55 million.

Lord Howell promised that the web principal would embrace established nationwide centres. "We're not going to throw away anything valuable," he said.



Roger Allery plays out of a bunker under the watchful gaze of Bill Jackson, his Pall Europe Ltd team-mate

## Fall guys fall short once again

By MEL WEBB

THE wind howled, the flags on straining poles stood out as stark-stiff as a row of washing on a frosty morning. It was no day to be playing golf. Yet play they did at Mannings Heath yesterday in the Southern Home Counties regional final of The Times Mees Pierson Corporate Golf Challenge.

And, if they did not exactly beat the course and the weather, they gave both a good run for their money. The event, the tenth in the 12-tournament regional final series of the most prestigious corporate golf competition in the British Isles, brought victory for Deloitte and Touche, the firm of chartered accountants. They will be heading for La Manga and the national final next month — but only by the skin of their teeth.

Victory was not clear-cut. In fact, three teams tied on 85 Stableford points and Deloitte and Touche beat Associated Nursing Services only after a countback of the last nine



holes. ANS themselves took second place from Fleedase (UK) after adding up the last six holes of the beautiful and testing Waterfall course.

It was the third year running that ANS had reached a regional final and, with finishes of second, third and second, they must be counted as the unluckiest side never to have played in a Challenge national final. All four members of the company's team had putts for victory on the last hole and all missed. There were four long faces after it was all over.

Deloitte and Touche's four players — Patrick Hope, Andy Jackson, Wallace Grace and Duncan Maltby, the first two

employees, the second pair clients — extended the hand of sympathy to their closest rivals; but it was comparatively easy for them to commiserate they had grabbed what ANS seem destined never to touch.

So what of the winners? They started badly and finished equally poorly, but, in between, played some good golf in awful conditions. They collected a mere two points on each of those holes and were bitterly disappointed with such a lowly score on the 1st, after hitting four good drives. They did not capitalise on the opening hole, but came back to play soundly.

Their first six-point hole did not arrive until the par-five 8th, where Grace hit the green in three and two-putted from 35 feet for a net birdie and three points, and Hope chipped on after missing the green and holed a six-footer.

They were on 41 points through the turn and were perked up by a seven-point score on the 11th, where Maltby hit a seven-iron to

eight feet, followed by a single putt for a net eagle and four points. Jackson added a net birdie and three.

Another seven-pointer came their way at the 17th, another par five, where Holt had a net birdie for three and Grace holed an uphill putt from 12 feet for a net eagle three. That was good; what followed — two points on the 18th — was not so clever. They did not think that they had done enough. They had.

### RESULTS

85: Deloitte and Touche, Associated Nursing Services plc, Fleedase (UK) Ltd (Deloitte and Touche won on countback of back nine, Associated Nursing Services second on countback of 1st six).  
86: Winchester White Ltd, Lyon Picher, Pall Europe Ltd, 88: The J Rothchild Partnership, London Metal Exchange, Dunlop Batteries Ltd, 89: Hyatt Hotels and Resorts, K T Electronics, 78: Paul Davidson Taylor, Coppens and Lybrand (South Coast Practices) 77: Hall and Coaker, Credit Insurance Brokers, Societe Generale, Personea plc, Nationwide Building Society, IBC Group plc, VCA Communications 76: Microsoft Ltd, 74: GWS (UK) Shopping Ltd, 73: F C Foreman and Partners, Premier Administration Ltd, 72: CLC Group Ltd, 71: Hays Express, 70: Black resigns.

### IN BRIEF

## Prean is back in England fold

A DISPUTE between Carl Prean, the international, and the England table tennis administrators has been settled after 18 months, during which time Prean, from the Isle of Wight, refused to turn out for England. The start of the acrimony goes back six years when England welcomed Chen Xinhua, the Chinese World Cup winner, a move not appreciated by Prean, 29, or his father and coach, John Prean, who was chairman of the English Table Tennis Association for three years during that period.

In May last year, in Tianjin, China, at the world championships, the bad feelings between Chen and Prean came to a head with verbal attacks and Prean indicated that he would be unlikely to play for England again, but Don Parker, the England coach until last week and now chairman of selectors, has spent a great deal of time negotiating with Prean to get him back into the squad.

### Still at sea

Sailing: The last three yachts in the BT Global Challenge fleet were still trying to get into Rio yesterday, led by *Pause to Remember*, which was likely to claim twelfth place some time last night. *Courtaulds International* and *Time & Tide* are expected in the early hours of this morning.

### New year return

Boxing: Richie Woodhall has revealed that he will not be retiring from the ring after his failure to win the World Boxing Council middleweight title. There had been a question mark over his future after his defeat by Keith Holmes, the title-holder, in Maryland on October 19. He plans to return in the new year.

### Home comfort

Hockey: Teddington and Southgate, former winners, have drawn home matches in the third round of the Hockey Association Cup. Teddington entertain Havant and Southgate face Barford Tigers.

Draw, page 44

### RUGBY UNION

## European contenders return to home front

By DAVID HANDS  
RUGBY CORRESPONDENT

THE possibility of a quarter-final meeting in the Heineken Cup will play on the minds of Leicester and Harlequins this week as they try to gauge the needs of domestic competition against those of Europe. Both are involved in Courage Clubs Championship matches tomorrow, against London Irish and Sale, respectively, before concluding their pool games in Europe on Saturday.

Should Leicester retain the leadership of pool B by beating Llanelli, they could meet Harlequins, who entertain Caledonia Reds. That, though, depends on whether Brive, who upset Harlequins on Sunday, hang on to top place in pool C by beating Ulster in Belfast.

Bath, England's third contender for European honours, face Bristol at the Recreation Ground tonight before turning their thoughts to Treviso at the weekend. It is 15 years since Bristol last came away from Bath victorious, and they have not beaten them in 12 league matches.

With Jonathan Callard injured, Bath field Jason Robinson at full back and hand the goal-kicking to Mike Catt. Andy Robinson leads the team in a pack showing five changes from that which beat Devon on Saturday.

Despite the absence of four injured players, including the Robert Jones, Mark Regan and Alan Sharp, Bristol are in bullish mood. "The team is learning that you can actually sneak games through togetherness and application," Alan Davies, the club coach, said.

Michael Lynagh, the former Australia stand-off half, plays his first league game for Saracens since injuring a shoulder in early September against Wasps. Saracens entertain Northampton at Enfield with a team showing eight internationals, against the seven likely to be fielded by Northampton. The clash of Kieran Bracken and Matt Dawson, two prospective England scrum halves, should attract interest with the game against Italy looming closer.

Student dies, page 6

## SHEEHAN on BRIDGE

By ROBERT SHEEHAN, BRIDGE CORRESPONDENT

This fluky French slam got the British off to a bad start in the junior European championships held this year in Cardiff.

Dealer South Love all IMPs

♠AK9743	♥AK	♦AK	♣AK
♥Q765	♠AK	♦AK	♣AK
♦Q72	♥AK	♦AK	♣AK
♠1082	♥AK	♦AK	♣AK
♥J84	♠AK	♦AK	♣AK
♦K76	♥AK	♦AK	♣AK
♣9663	♥AK	♦AK	♣AK

W	N	E	S
Pass	2H	Pass	1NT
Pass	4D	Pass	2S
Pass	6S	Pass	4H

Contract: Six Spades by South

South's 1NT opening showed 15-17 points: North's Two Hearts was a "transfer", showing at least five spades. His Four Diamonds was a "splinter", showing diamond shortage and slam interest with strong spades. Over Four Hearts, a cue-bid, North was worth no more than Four Spades, the bid made by the British North after the same start at the other table. Jumping straight to slam was more than a little exuberant.

Laurent Bouscarel, the French declarer, played low from dummy on the club lead, beat the jack with the ace, cashed the ace of diamonds — discarding a club — and led the queen of diamonds, covered and ruffed. Then came a spade to the queen, the jack of diamonds — discarding the queen of clubs — the jack of spades and a club ruff. Now, the ace of spades left East with no good discard. He was down to ♠A103♦98♣K.

In technical jargon, he was "squeezed in three suits without the count". The king of clubs, or his actual choice of a diamond, gives up a trick in simple fashion, while a heart discard allows declarer to establish a second trick in that suit by leading towards the king and then ducking on the way back.

□ The Great Britain women's team have qualified for the quarter-finals of the Olympiad in Rhodes. A 24-6 victory over Spain in the final match left them comfortably in fourth place in their group. They will meet Austria in the quarter-finals. The Open team narrowly failed to qualify in an exciting last round.

Correction: East's diamonds were unfortunately omitted from the hand yesterday. They should have been J9632.

□ Robert Sheehan writes on bridge Monday to Friday in Sport and in the Weekend section on Saturday.

### WORD-WATCHING

By Philip Howard

#### CARRAGEEN

- a. A dog-cart
- b. A clerical collar
- c. Seaweed

#### CRENITIC

- a. Idiotic
- b. Formed by a spring
- c. A stress accent

#### CANNET

- a. A Somerset tea-can
- b. A duck without feet
- c. A drummer's riff

#### CUBEB

- a. A berry
- b. The double cube
- c. A Caribbean language

Answers on page 46

## KEENE on CHESS

By RAYMOND KEENE  
CHESS CORRESPONDENT

### Champion wins

Chris Ward has had a fine season during 1996. He has won the British championship, gained himself the grandmaster title and added to his laurels by taking first prize in the Owens Corning International grandmaster tournament at Wrexham in North Wales.

Final scores	
Ward	6½/9
Davies	5
Martin and Csom	5½
Dunnington	4
Murugan	4½
Karlsson	3
Sahu and Martinovsky	3
Hartman	2

### Burst of tactics

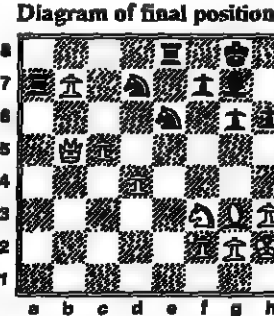
The following game was played in the final round. White employs the increasingly popular Trompovsky opening to exert a powerful cramping effect on Black's queenside. In spite of Black's attempts to break out by tactical means, involving the trade of his queen for White's two rooks, White's bind on the queen's flank remained the decisive factor.

White: Dunnington  
Black: Hartman  
Owens Corning, Wrexham October 1996

### Trompovsky Attack

1	d4	c5
2	Bg5	h6
3	Bh4	c6
4	Nf3	Qd8
5	Nd2	Nd7
6	e3	e5
7	Bg3	exd4
8	exd4	Ng6

9	Bd3	Be7
10	d5	O-O
11	Re1	Re8
12	cd	Nf8
13	h3	Be6
14	c5	Ocd8
15	Nc4	Ned7
16	Bd3	Bf8
17	Ocd2	b5
18	a4	a5
19	axb5	axb4
20	Nd4	cxb5
21	Bxb5	Qa5
22	Bc8	Ra6
23	Nb6	Qa1
24	Ra1	Ra1+
25	Kf2	b3
26	Qd2	Ra7
27	Oxb3	g6
28	Nd5	Bg7
29	Qd5	Bxd5
30	Bxd5	Ne6
31	Bc7	Black resigns



White's passed c-pawn is unstoppable.

### Times book

The Times Winning Moves 2 contains 240 chess puzzles from international grandmaster Raymond Keene's daily column in The Times, and is available now from bookshops or from B.T. Batsford Ltd (tel: 01376 321276 at £6.99 plus postage and packing).

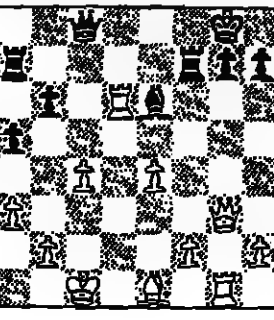
□ Raymond Keene writes on chess Monday to Friday in Sport and in the Weekend section on Saturday.

### WINNING MOVE

By Raymond Keene

White to play. From the game Galliamova — Litinskaya, Women's Olympiad, Erevan, 1996. Black, doubtless anxious to deal with White's threats along the g-file, now succumbed to a strike from a different direction. How did White continue?

Solution on page 46



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\*Free Eurostar tickets are subject to seat availability. Due to seasonal demand, free tickets are not available for travel from December 20, 1996 to January 5, 1997 and March 25, 1997 to April 10, 1997 inclusive. Abridged terms and conditions appeared in yesterday's paper and will appear again on November 16. Full terms and conditions will be included with your information pack.













## RACING 43

Darley loses ride after Savill cuts his British string

## SPORT

AMERICAN FOOTBALL 46

Cowboys settle old score with victory in Miami



TUESDAY OCTOBER 29 1996

Colombian at the crossroads

# Keegan makes leap of faith with Asprilla

By DAVID MADDOCK

NEWCASTLE United in Europe. Nothing is certain, except the uncertainty. Borrowing from the children's television programme, *Stringray*, they should broadcast the rider: "Anything can happen in the next hour-and-a-half" before the North East club entertain Ferencvaros, of Hungary, in their UEFA Cup second-round, second-leg contest at St James' Park this evening.

One thing that is perhaps predictable is that the future of Faustino Asprilla, Newcastle's expensive import from Colombia, will be examined particularly closely.

Asprilla is an enigma. He will be offered an opportunity tonight to display his undoubted talents because of the injury to Alan Shearer, and if he is not to disappear into the ranks of exotic footballers who flattered to deceive in the English game — men such as Alberto Tarrantini, Didier Six and, latterly, Tomas Brodin — then he must take it.

Kevin Keegan, the Newcastle manager, wears honesty like a badge to distinguish himself from other managers, and when he talked about Asprilla yesterday he admitted that the forward on whom he gambled £7.5 million is now at the crossroads of his St James' career.

Keegan believes that he must help Asprilla to float in the English game before he sinks without trace. "We are not at the crisis point yet with Tino. I'm not saying he won't make it here," he said, "but it is time to move closer to each other."

"He has a rare talent, one that is rarely seen, but the whole key to the exercise concerning Tino is that we

have to understand him a little more, and he certainly has to understand more of what English football is about.

"If we both make the right moves, then there is no reason why he won't be a massive success. He's not quite clinched it yet. It is in the balance, and we have to make it work."

Keegan was upbeat about Asprilla's future, despite the ultimatum that appeared to be lurking in his message. He still has great faith in the player, and is expecting him to give the Hungarians plenty to think about once he lets him off the leash this evening. He seems certain to play.

Keegan believes that

ITF details ..... 23, 23  
Gizola's vision ..... 44  
Magical Magyars ..... 44

Asprilla's talent has not yet emerged fully, partly because the Colombian, who was signed from Parma, the Italian club, last February, has failed to come to terms with the English language and culture.

"I've got total faith in him. I'm prepared to hang my hat on him totally, but it's also fair to say that I'm looking for him to adapt to his environment more," he said. "I still believe in him, I still think he can help us win the FA Cup, the Premiership title and a European trophy."

"If I didn't think he could do it for us, then he would soon find out, because I would tell him and his agent, but the onus is now on him to learn English. He had an interpreter for six months, but I've taken that option away from

him now. I just felt it was all coming through the interpreter."

"It's convenient to let the interpreter to do all the work. I learnt German in three months when I went to Hamburg, and Tino learnt Italian quickly — we want him to now do the same with English."

Keegan is expecting victory over the Hungarians this evening, though he has warned the Newcastle supporters not to expect a repeat of the fireworks that saw Ferencvaros emerge with a 3-2 lead from a quite bizarre encounter in the first leg.

John Beresford will miss the game with a hamstring complaint, but Les Ferdinand is expected to overcome a slight rib injury. Keegan said: "The crowd may have to be patient. Don't forget a 1-0 victory with the goal coming in the last ten minutes will see us through."

"I hope we don't have to wait that long, but Saturday [when Newcastle lost 2-0 to Leicester City] has helped us to prepare for Europe. Leicester got all their men behind the ball and hit us on the break, and that's exactly what Ferencvaros will do."

Mark Lawrenson's influence as Newcastle's new defensive co-ordinator will need time to take hold. Keegan is not expecting a wholesale review.

"There wasn't a lot of closing down out there [in the first leg], but there will be this time, because we'll make sure it's much more of an English-type game, and see how that goes against them," he said.

"We'll give them the most severe test we can. It's no good us trying to play a continental game, and while we have to be patient we have to approach it like we do week-in, week-out at home."

"Their crowd played a part out in Hungary, and ours can now, but we know that if we play our game we can cause them trouble and then we must take our chances. The onus is on us to get at them."



Shearer cuts a lonely figure at the Newcastle training ground yesterday as he begins the recuperation process after his hernia operation last week

## Injuries pose extra problems for United

By PETER BALL

PROBLEMS are building up for Manchester United. After conceding 11 goals in two FA Cup quarter-final games, they face going into the vital European Cup Champions' League match against Fenerbahce tomorrow without Gary Pallister and Nicky Butt, both of whom were injured during the 6-3 defeat away to Southampton on Saturday.

The injury problems are not looking great at all, Alex Ferguson, the United manager, said yesterday. "At the moment, Pallister is not looking good and Nicky hasn't got much of a chance either. Both are very doubtful."

Two weeks ago, United's 2-0 win over Fenerbahce in Istanbul, thanks in large part to some disciplined defending,

had seemed certain to open the way to the European Cup quarter-finals. It is still open, but their subsequent defeats by Newcastle United and Southampton have suddenly made their progress seem less assured, with a return to their old defensive certainty a first priority.

Although Ronnie Johnson is expected to be fit to return after missing the 6-3 loss at The Dell with an Achilles' tendon injury, the absence of Pallister, the big central defender, would be a severe blow. He was taken off at half-time on Saturday with a knee injury that has troubled him for much of the season.

"It is something that won't go away," Ferguson said. "We need to give him a couple of weeks off to let it clear up completely. However, we have

an important game coming up against Fenerbahce and we need to get him fit for that."

After the match with Fenerbahce and the game with Chelsea on Saturday, United have two clear weeks as the Premiership breaks for the England visit to Georgia in the World Cup. Ferguson's comments suggest that, if at all possible, Pallister will be patched up to play tomorrow, but will miss the game against Chelsea and is unlikely to be available for England when Glenn Hoddle, the coach, names his squad on Thursday.

As if that were not bad enough for United, it was confirmed yesterday that David Beckham, their blossoming midfield player, is being investigated by police after they received complaints

that he made an obscene gesture during the defeat at Southampton. The Football Association said that it had received no complaint concerning Beckham, but would investigate if one were made.

Although Nicky Barnby spent yesterday training with the Middlesbrough youth team after being left out of the side last week, Bryan Robson, the Middlesbrough manager, insisted that his departure from Teesside was not yet certain. Liverpool, Everton, Leeds United and Blackburn Rovers have all been linked with Barnby, the England under-21 player, but Middlesbrough understood to be looking for a fee of around £6 million for him.

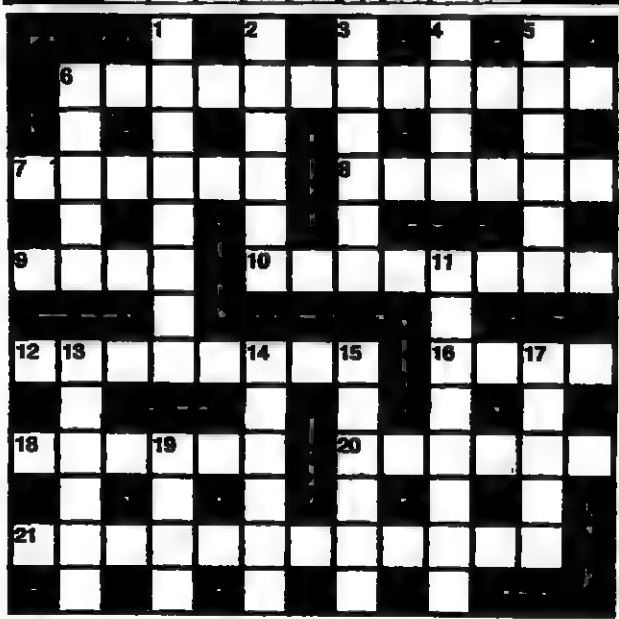
"We haven't had an offer yet," Robson said yesterday. "There have been a few in-

quiries, but nothing firm. We will only sell for what we consider to be the right money."

Blackburn's interest is likely to be hampered by their lack of a manager after the resignation of Ray Harford on Friday. Yesterday, the club began searching for his replacement, with early indications that they may be split for choice.

Terry Venables, at present the director of football at Portsmouth, who has not appeared in the past to be keen to move north, refused to rule himself out of contention yesterday. However, with only one more game before the international break, there were suggestions that the club might leave Tony Parkes in charge for the visit of Liverpool on Sunday and take its time over a full-time appointment.

### TIMES TWO CROSSWORD



No 925

## ACROSS

- 6 Malvolio play (7,5)  
7 Wreinger (6)  
8 Eccentric (6)  
9 Former ruler of Iran (4)  
10 Systematic written exposition (8)  
12 Insect-trapping strip (3-5)  
16 Clear (wine); framework (4)  
18 Overcome (6)  
20 Emotionally cold (6)  
21 Revealing error (8,4)

## DOWN

- 1 Fly very low (5-3)  
2 Bring about; result (6)  
3 Order on bank; sounds like pause (6)  
4 Her tiny hand was frozen (4)  
5 Throbbles (6)  
6 Impart information (5)  
11 Frightful (8)  
13 French national museum (6)  
14 Summary (of argument) (6)  
15 Purify (6)  
17 Potato chip (5)  
19 Renovate; tie (jacob) (2,2)

## SOLUTION TO NO 924

ACROSS: 1 Factotum 5 Chin 8 Gloat 9 Wheedle 11 Ewe 12 Fulminate 13 Filthy 15 Bantam 18 Screwape 19 Fen 20 Decayed 21 Havoc 22 Solo 23 Wew-nurse  
DOWN: 1 Fig leaf 2 Clone 3 Out of the way 4 Unwell 6 Hydrant 7 Niece 10 Elizabethan 14 Lyrical 16 Monocle 17 Caddle 18 Sides 19 Fever

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## Parisians warm to the smouldering of Pioline

FROM ALEX RAMSAY IN PARIS

THE year is drawing to a close for the main men of the tennis circuit and, as the travelling circus pitches camp in Paris for the week, the nerves are beginning to jangle. This week, there is far more at stake than the \$393,000 (about £254,000) winner's cheque and the kudos of another title. For Boris Becker, Andre Agassi and Richard Krajicek, there is one last chance to qualify for the ATP Tour world championships next month.

To make matters worse, the big three are being chased hard by Wayne Ferreira, Marcelo Rios, Todd Martin and Alberto Costa, although the casual observer would need a degree in advanced mathematics to work out exactly who has to do what to whom and where in order to book their ticket to Hanover.

No matter. Yesterday was the day when the lesser fry — if the rest of the top 40 can be described as such — had their moment in the spotlight. It was a typical opening day of any tournament anywhere in the world. The huge Palais Omnisport de Paris-Bercy had a sprinkling of spectators whose only concern was the fate of the French players and the availability of the sandwiches.

In fact, the most excitement was caused not by any player, but by the groundsman. The steeply-banked roof of the stadium is turfed with lush grass and needs regular cutting.

This is done by a chap with a Flymo on a piece of rope and, as he lowered and raised the mower over the grass with considerable speed and skill,

he drew the most appreciative crowd of the day.

The most vociferous crowd was inside watching Cedric Pioline, the local hero, take on Sergi Bruguera, of Spain. Pioline certainly fits the part — he has the sort of looks that can smoulder from time to time and, on occasion, he has the game that can produce a classic match. Unfortunately,



Bruguera: in no mood to fight

yesterday was not one of those moments.

Bruguera has spent much of the past two years suffering from a series of injuries and watching his ranking slip from the dizzy heights of No 3 in the world in 1994, the year of his second triumph at Roland Garros, to his present ranking of 78. Given a wild card into the Paris event and faced with a partisan crowd and a fast surface, he was in no mood to fight.

For much of the match, the

men traded error for error with Bruguera happy to stand six feet behind the baseline and wait for Pioline to make one mistake too many. Right from the start, the only question was whether Pioline could throw it away, never whether Bruguera could win it. In the end, the crowd got what they wanted and Pioline went through to his second round appointment with Yevgeny Kafelnikov, 6-4, 6-3 in a little under 1½ hours.

As the big names were still making their way to Paris and recovering from their efforts in Stuttgart, the mere mortals were sorting out who would be on hand to play them. Petr Korda recovered from a fall in the second set to dispatch Mark Woodforde 6-4, 5-7, 6-2 and go through to meet Rios, while Alberto Berasategui, 23, from Bilbao, Spain, sped past Renzo Furlan 6-2, 6-2 to book his place against Krajicek, the Wimbledon champion, from Holland.

Two Spaniards who were shown the exit were Alex Corretja and Javier Sanchez. Marc Rosset, of Switzerland, the big-serving runner-up to Andre Agassi here in 1994, defeated Corretja 6-2, 6-4 to reach a second-round meeting with Pete Sampras, the No 1 seed and defending champion.

"Bruguera had beaten me twice on clay — in Monte Carlo a few years ago and at Hamburg this year," Rosset, the Swiss No 1, said after his victory. "But, on a faster surface like this, it is a very different story."

Sanchez also went out in straight sets when he lost 6-3, 7-6 to Daniel Vacek, of the Czech Republic.

## Gallacher to leave Wentworth position

By JOHN HOPKINS GOLF CORRESPONDENT

BERNARD GALLACHER, the captain of the successful Europe team to the Ryder Cup last year, has resigned from the Wentworth golf club after more than 20 years as head professional. He will leave the club, home of the Volvo PGA and the Toyota World Match Play Championship, at the end of the year.

The news was announced at the annual meeting on Sunday night when David Rennie, Gallacher's senior assistant, was confirmed as the new club professional. "There were about 200 people there and they were shell-shocked when the announcement about Bernard was made, but there was a great amount of warmth shown towards David," Willie Bauer, the chief executive of the Wentworth Group, which controls the Wentworth club, said.

"There is nothing sinister in this," Gallacher, 47, said, indicating that he has wanted for some time to do other things, which may include competing on the Seniors tour when he becomes eligible.

"When Bernard makes up his mind to do something, he does it," Bauer said. "We have not been able to persuade him to change his mind."

The Loch Lomond world invitational tournament is to be staged the week before the Open Championship at Royal Troon next July. It will replace the Scottish Open on the European Tour programme.

Woods takes root, page 46

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# Parliament needs a free vote on guns

Donald Dewar asks the Tories to let MPs obey their consciences

Party whips in the House of Commons do not look kindly on a free vote. As a rule, we dislike them. On both sides of the House, the business managers hate losing control. Worse, a free vote has the uncomfortable habit of producing the unexpected, as individual MPs vote according to conscience.

Westminster government is based on the order enforced by strong whipping. Free votes are limited to matters which are not central to the Government's programme, or which — like capital punishment — are well-defined issues of conscience. Rarely, however, a cause of such great importance arises, outside the normal run of business, that nothing less than a free vote will do. We are facing one now.

The pain, the sadness and the sense of outrage over the Dunblane tragedy puts the issue of gun control in a category of its own. In Parliament there must be a vote of commitment genuinely reflecting opinion in the House. The country expects nothing less.

This is not a technical argument over detail. Most people will have been disturbed to discover that there are as present as many as 200,000 handguns legally held. The Government's compromise scheme will still leave 40,000 of them in the community. Security at gun clubs would be a constant worry.

The British Shooting Sports Council argued to Lord Cullen that "no matter what system of checks and paperwork is maintained", it would be "a simple matter" to enter a competition, recover guns and ammunition and "perpetrate an outrage". The council made this point when arguing that a binding instruction that handguns be held in clubs and not in the home was impractical, but it is an equally strong objection to Michael Howard's and Michael Forsyth's current proposal. The Police Federation backs the uncomplicated ban designed to take all handguns out of circulation — with no ifs, no buts and no fatal hesitation.

Sadly, Tory ministers will not allow freedom of conscience on this issue. There is only one reason for that. They cannot stand the thought of defeat. Without a whip, their uneasy compromise between Lord Cullen's report and the pleas of the Dunblane parents may well be swept away.

Delay is a legitimate concern, but need not be a problem. The Government should publish the Bill with alternative clauses setting out the effective range of options. The Commons could choose between the Cullen proposals (limited as they are), the Government's compromise and the ban supported by Labour and much of the country. Ministers did this in the case of the Sunday Trading legislation and it worked well. The procedure could work well again here.

Another ingenious, but spurious, defence of the Govern-

ment's policy is that if a total ban were sought, the gun-control legislation might be delayed or even blocked by backwoodsmen in the Lords: a free vote there would allow the shooting lobby to sabotage the Bill. In this respect, ministers are hiding behind the out-of-date views of the very peers they rely upon for their majority in the Lords.

The argument does not stand up. Even the most bat-winged peers will recognise the public anger that would break upon their heads if a rear-guard action by the unelected were to wreck the Bill. It would be an own goal, and would boost Labour's argument for banishing the hereditary principle from Parliament. In any case, if the diarchies in the Lords were threatening even this Government's unsatisfactory compromise, Labour and Liberal peers would ride to the rescue — and that's a racing certainty even on a free vote.

Ministers have a weak case, and they know it. They are scrambling around for any argument that will give a cover to naked party interest. A free vote would allow each and every Member the right to choose and to answer for what they do to the electorate.

On a free vote a few Labour Members might support the shooting lobby. So be it. On the Government side, Tories such as John Carlisle — who cruelly accused the Dunblane parents of over-reacting and being over-emotional — and a clutch of his friends can vote against everything

if they wish. More importantly, however, Tory MPs with a conscience would be free to vote for a total ban.

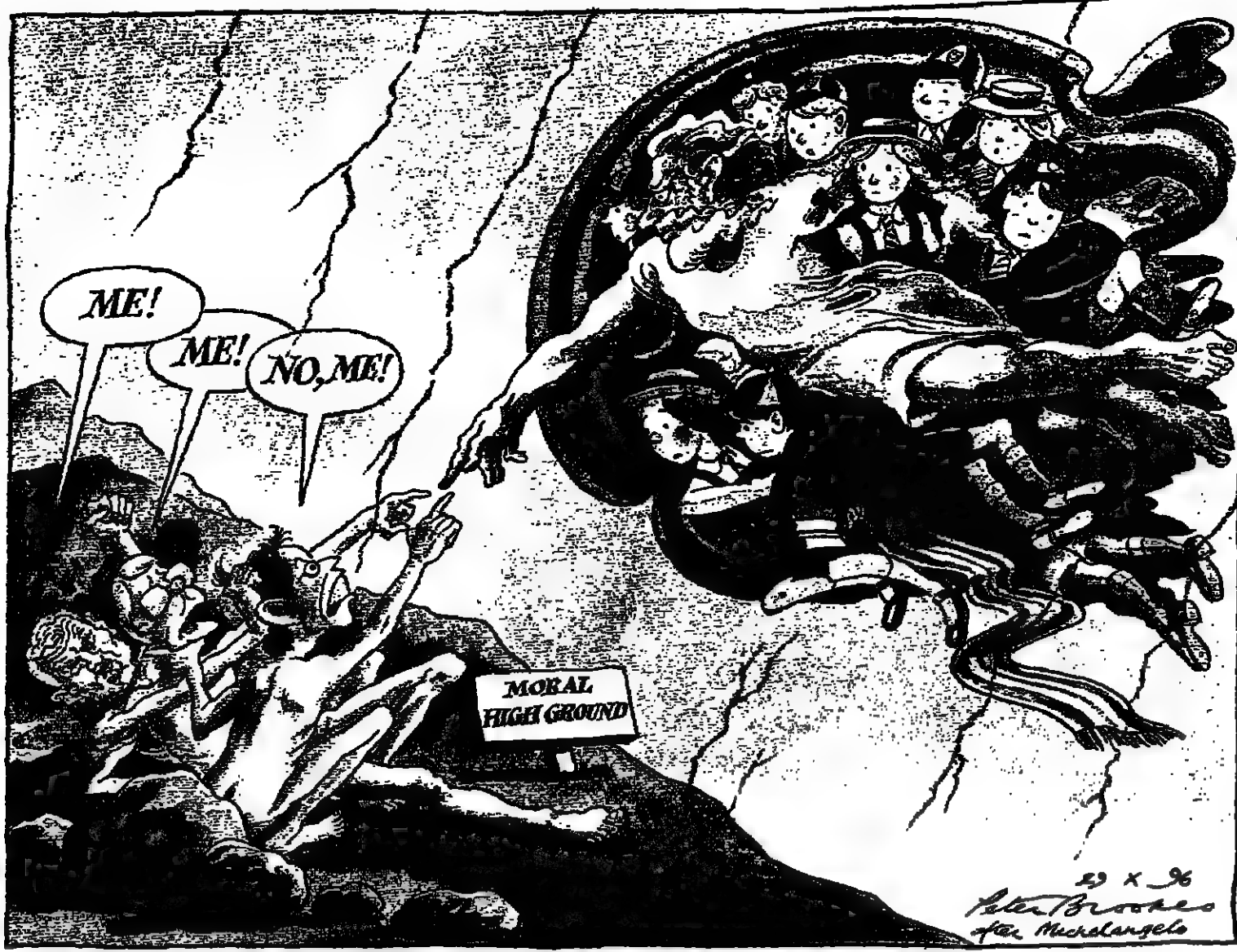
During the Queen's Speech debate the Prime Minister was prepared to change his mind on both stalking and poeophilia. If he doesn't have second thoughts on handguns, he may find himself in even greater difficulty and paying a high political price.

His present position is said to be a compromise between the views of the Home Secretary and the Scottish Secretary. That is not good enough. I can think of no issue on which people are looking more directly to Parliament for a lead, or where the issues are more clearly understood.

A free vote would also do something for the reputation of Parliament. It is the one way of resolving the issue that will be seen to be fair. The alternative is to risk a result which will be widely condemned as a victory for party loyalty rather than principle. A free vote would meet the needs of those, in Dunblane and the country at large, who want decisive, principled action quickly.

For Labour Members, there will be no whip when this legislation comes forward. I very much hope that Conservatives will be given the same freedom to exercise their judgment and so to reflect the views of their constituents.

The author is the Labour Party's chief whip.



## A hero of retreat

Timothy Garton Ash reflects on Mikhail Gorbachev's place in history

Time is cruel. Leaders who seemed great in their day fade to a few lines in the history books. Only a very few continue to grow in stature over time, to accumulate ever more layers of interpretation and reinterpretation, mystique and myth. It is a fair bet that Mikhail Gorbachev will be among those few.

His role in world history is full of ironies. Another of the few, Winston Churchill, declared that he did not intend to be the King's First Minister in order to preside over the liquidation of the British Empire. Gorbachev did not become Soviet leader in 1985 in order to preside over the liquidation of the Soviet empire, let alone of the Soviet Union itself. But that is what he found himself doing: permitting the peaceful self-liberation of Eastern Europe in 1989 and the reunification of Germany in 1990, then being unable to prevent the disintegration of the Soviet Union in 1991. What is more, it is for this that he will be best remembered. (This helps to explain the contrast between his popularity abroad and unpopularity at home.)

The German writer Hans Magnus Enzensberger has described him as a "hero of retreat". An old Russian tradition: one thinks of Marshal Kutuzov retreating across the vast expanses of Russia, tempting Napoleon's armies to their fate. However, the characterisation is unfair. This retreat not only began as an advance, but in many ways remained one, and what Gorbachev left behind was not scorched earth. Take foreign policy, for a start. Gorbachev set out to transform the Soviet Union's relations with the outside world. He wanted to stop the arms race with the United States and what he calls in his memoirs the "insane militarisation" of the Soviet Union. He wanted a new co-operative relationship with the West, based on the so-called "new thinking" that he and his closest associates developed. He wanted to end the Cold War.

However, the breakthrough to these goals came with the velvet revolutions of 1989. The Cold War ended where it began, in Central Europe. Here, Gorbachev's position was more complicated. There is no doubt that he wanted a new relationship with his Warsaw Pact allies. He was serious about applying to them the "new thinking" principle of freedom of choice, and, crucially, about not using force to push them into line.

But he also seems to have believed until quite late that something like the "socialism with a human face" advocated in the Prague Spring of 1968 still had a chance of popular support. After all, wasn't he trying it himself, in the Moscow Spring? It is an interesting question whether he would have so cheerfully let the Polish and Hungarian experiments in political pluralism begin, early in 1989, if he had had a clear idea of where they were likely to end. Yet when they did end — with, in effect, a vote to go West as fast as possible — he accepted this "free choice" with remarkable grace, swallowing even the biggest pill: the reunification of Germany.

Inside the Soviet Union, Gorbachev developed from Communist reformer into a leader determined to transform the communist system into something qualitatively different. One of his great strengths was his ability to go on learning and adapting in quite fundamental ways: a capacity rare enough among those in high office. In 1988 he took crucial decisions to move to contested elections and a legislature endowed with real powers. He may still have imagined some half-way house between communism and Western-style democracy. In his memoirs, he talks of the essence of the political reform being the transfer of power from the Party to the Soviets, so early recalling the old revolutionary slogan "All power to the Soviets!" Nonetheless, he certainly wanted the Soviet Union to be much freer and more democratic than it had ever been before, and a lot more respectful of human and civil rights. The veteran dissident Andrei Sakharov was among the People's Deputies in the new Congress.

These, then, were intentional successes. Such progress as Russia and

other former Soviet states have made since he resigned in 1991 — towards more freedom (considerable), more markets (significant) and more democracy (very mixed indeed) — is not a direct result of his policies, but follows from the process that he began. By his own account, the great failure was what he calls "nationalities policy". Gorbachev was — and perhaps in some sense still is — a genuine Soviet patriot. For him, the Soviet Union was a country. He characterises the failure to preserve the Union, in a new and more democratic form, as a tragedy. He blames this, above all, on his old antagonist, the Russian leader Boris Yeltsin — and of course Yeltsin was instrumental in the endgame of the Soviet Union. But we are not bound to share either Gorbachev's own analysis or his pessimism about the result.

Rather, by applying the principles he embraced, we can come to a quite different conclusion. Many of the subject peoples of the former Soviet Union — Lithuanians, Ukrainians, Georgians — did not see the USSR as a country, a patria. They saw it as an internal empire. If the Sinatra Doctrine applied to Poles, they said, why not to Lithuanians? The logic was hard to fault. They took the "freedom of choice" and chose to be free — of the Soviet Union. No one could reasonably pretend that the end of the Soviet Union was a perfect exercise in Wilsonian liberal self-determination. But that there is today an independent Ukraine is not tragedy at all for our common European home (to recall another of Gorbachev's phrases). Difficult though many Russians find this to accept, it is no tragedy for Russia either. So while Gorbachev himself may see this as a loss, history may book this too to the credit side of his account.

The case of Gorbachev raises in poignant form the old question of the role of the individual in history. As a student at Moscow State University

he must have read the famous assertion by Friedrich Engels that if Napoleon had not been born "another would have filled his place", a claim that Engels believed "proved by the fact that the man was always found as soon as he became necessary: Caesar, Augustus, Cromwell etc."

Would it all have happened anyway? Well, of course we can never know what would have happened if... But against what Bergson called "the illusions of retrospective determinism", I would say two things. First, it was a very unusual mixture of personal qualities that enabled Gorbachev to bring the Communist Party peacefully to surrender its own dictatorship (his word) in the Soviet State, and the State to do likewise in the Soviet bloc. As he himself has observed, he was both a product of the Communist Party apparatus and its deliberate gravedigger.

Of course he had allies among his own political generation, the so-called "Sixties men", but no one else had his particular combination of energy, idealism, imagination, tactical guile and personal magnetism. That magnetism played no small part in winning over so many foreign leaders — not least Margaret Thatcher — and it still reaches us through the television screen on his current visit to Britain. In our age of television politics and summit diplomacy, personalities matter more, not less.

Secondly, no other totalitarian or authoritarian empire in history has ended so peacefully, let alone an empire with nuclear weapons. Trying to glimpse the way ahead for Central Europe in the late 1980s, I tried the image of a progressive "Ottomanisation" of the Soviet empire. But the Ottoman Empire spent decades in decline and ended only in the First World War. Proof is impossible, but I am convinced that under a different leader, with more half-hearted reforms, the Soviet Union could have gone on slowly declining for some years — slowly and dangerously. We might still be living in a world divided between Eastern and Western blocs, with the Berlin Wall still standing, a nuclear arms race dragging on and more than 300 million people significantly less free than they are today.

The author will be in conversation with Mikhail Gorbachev at tonight's Times/Dillons forum.

### Under another leader the Soviet Union might have gone on declining for years — slowly and dangerously

## Replacement

DOUBLE Tanquerays all round at Clarence House. Queen Elizabeth the Queen Mother's surgeon, a key member of the team that replaced her hip, has been asked back to work at King Edward VII Hospital for Officers in London after successfully undergoing "gender reassignment".

William Muirhead-Allwood's position at the hospital, where the Queen Mother successfully underwent her operation, was jeopardised when he announced in July that he had decided to change gender. He asked his charges in future to address him as "Miss Sarah K. Muirhead-Allwood".

The matter was referred to the hospital's medical committee, which decided that s/he should not be allowed to admit patients. Patients took up their walking sticks, and Cardinal Basil Hume wrote in support. "The Cardinal wrote to say that he had had one hip done by William Muirhead-Allwood," says my source, "and that if he needed another hip operation he would go straight to Miss Sarah Muirhead-Allwood."

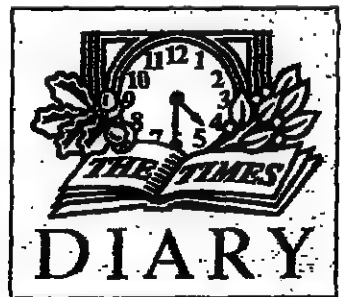
I am delighted to report that the hospital has changed its tune. "We have reviewed the position," says chief executive Brigadier Colin

Harrison, OBE. "And she has re-established herself here."

● Celebrations at the Savoy hotel to mark the 150th anniversary of the birth of Auguste Escoffier, its famous chef, are as much a kicking-over of traces as a toast to his kitchen-craft. Escoffier was sacked from the Savoy, along with



William, as was



Cesar Ritz, in 1898 for taking kick-backs and soliciting gifts from the hotel's suppliers. "He left under a cloud," says the Savoy, but 98 years on the hotel is in forgiving mood.

### Horse sense

THE PRINCE OF WALES'S visit to the former Soviet Republic of Turkmenistan next week is horribly likely to lead to an unwelcome increase in his entourage.

The Turkmen leader, President Niyazov, hands out horses to foreign dignitaries like roses at a gymkhana. John Major benefited from his munificence two years ago when he received a highly-strung grey and white stallion.

The beast quickly became a diplomatic embarrassment, languishing in Turkmenistan for two months where he became listless and fat, and afterwards presenting

livery problems. The French temporarily "lost" their horse, and the Swedes have dispatched the three they were given. The Foreign Office has stern advice for Prince Charles: "Just say no."

### Skinful

ZULU couture and nature conservancy have clashed in South Africa, where the ceremonial outfits of a leading tribal chieftain have been confiscated. Prince Gideon Zulu, the Minister of Social Welfare and Pensions in KwaZulu



Tribal embarrassment

Natal and a big spear in the Inkatha Freedom Party, was foolish enough to leave his leopardskin regalia in a wildlife "skin shop" in Durban.

When the store was raided by police and an undercover team of nature conservation officials, Prince Gideon's togs were swiped along with assorted nyala, springbok, python and impala skins. He lashed out at the police during a Shaka Day rally saying that the raid was an attack on his people's culture. The authorities are unimpressed and three men found in the skin shop are to go on trial tomorrow while Gideon's wildlife prints will remain locked up.

● Jasper Johns is a sensitive petal. A retrospective of his work is showing at New York's Museum of Modern Art, and he has insisted that the museum destroy 300 jigsaws in the gift shop because they reproduce his famous depiction of the Stars and Stripes without his permission. The museum has complied with Johns's edict but not before 20 of the "collectors' items" were handed as gifts to board members for posterity.

### Comm-union

A BAPTISM took place for the first time in the Oxford Union on Sunday, when the President of the University Conservative Associ-



"It's OK Arthur, it's not a combat knife"

ation, Patrick Huggard, suddenly announced that he had been divinely inspired after attending Mass at Wadhams. Happily, Rev David Johnson, a former president of the Cambridge Conservative Association, was on hand for an immediate christening.

"There wasn't a font as such, but someone took a glass of water from the union bar and someone else went for some oil from the Randolph Hotel. Johnson blessed them and within twenty minutes Patrick was baptised into the Church of England," says a fellow student.

## Bad old days of Labour

Woodrow Wyatt rebukes the new hypocrites

Early on Sunday morning I was swimming my usual furlong in the splendid RAC pool in Pall Mall and reflecting on our moral maze. Two boys of about 11 or 12, presumably from respectable backgrounds, dived in. They dashed from lane to lane, scaring ladies — one of whom got out in fright. When one of the boys almost crashed into me, I bellowed: "Keep in lane, you horrible child. Behave yourself." Startled and subdued, both boys did. When I started to climb out, another lady still swimming called: "I'm getting out, too, now the policeman's going." At lunchtime on *The World at One* I heard David Blunkin mauling Mrs Shepherd and the Government's 17-year failure to halt rising lawlessness. "We must get back to the standards of the society we had until 1979."

That was when the unions were corrupted by immoral ballot rigging to ensure that the union bosses got the executive committees they wanted. Strikes abounded. Britain's economy nearly collapsed. It was Margaret Thatcher's union reforms that gave secret ballots and union members the representatives they voted for. Strikes dwindled to a trickle: the economy flourished and still does. Margaret Thatcher conferred on Labour the boon of largely cleansed trade unions run by more sensible leaders, not rocking Mr Blair's boat as they did Wilson's and Callaghan's. It was a great Tory victory for upholding moral standards which could not have been won by a Labour government.

Dunblane and publicised cases of dreadful discipline in some schools have brought a sudden awareness that the upbringing of our youth has gone awry. This is too serious for party political warfare. The ending of National Service by Harold Macmillan — trying to win votes — was a mistake. It removed the opportunity to inculcate at just the right age a sense of service and duty to the nation, at which the Armed Forces are so good, to balance the debilitating expectation that the welfare state will take care of everyone.

Rights above responsibilities was the lesson preached by many left-wing teachers who believed in letting their pupils do their own thing without fear of correction. Books extolling virtues, by authors such as Enid Blyton, were banished as not "politically correct". Many parents protested when good teachers dealt severely with their recalcitrant offspring.

Among the young, perhaps 2 or 3 per cent are convinced that wrongdoing, stealing and violence are acceptable. Among boys, especially, the heroes are notable sportsmen. Paul Gascoigne gets away with savage wife-beating, drunkenness and kicking opponents on the field. Even Geoffrey Boycott now appears to be a rather unsavoury character. Yet Gascoigne is still selected for his league team and for England, and as yet there is no call to exclude Boycott from the commentary box. When the authorities bless such rotters, the young are encouraged to behave likewise.

Supposedly to combat violence, politicians of all parties vie in proposing ever more ridiculous laws about owning guns and knives. But it is the minds and the hands which direct the weapons that need reforming. The idea that someone on the verge of insanity will refrain from single or serial murder (as on the Tokyo underground) because certain weapons have been declared illegal is infantile. Banning them stimulates black market sales of lethal weapons, which are already flooding into the country via Ireland and Germany where the Russian mafia are flourishing. Almost anything can be lethal. On the radio, I recently heard a young man's moving account of how his 22-year-old sister was murdered by having a screwdriver pushed through her throat.

Teachers — for the most part very decent people — find that if they rap an unruly pupil they are threatened with dismissal. The elderly whose property is attacked by violent criminals are imprisoned and made to pay compensation for firing shotguns at them. Burglars who injure themselves climbing walls with broken glass or barbed wire on top are treated by the courts as victims and awarded damages. A policeman who cuffs an unruly youth harassing passers-by is dismissed. Soldiers in Gibraltar, shooting IRA terrorists about to murder hundreds are called to account, and is a soldier in Northern Ireland for shooting at a stolen car carrying IRA sympathisers.

Few believe in the hellfire and damnation threats of the old established religions, which are fast losing their influence. Unconvincingly they blame society for criminal behaviour. The other day a bishop justified stealing food, claiming it a right accorded to the hungry. There are no easy solutions, but there is a growing mood in favour of a return to the best of Victorian values. This will gather strength during the coming decades, but it cannot be accelerated by a few weeks of rushing irrelevant acts through Parliament. The instincts of the nation generally are sound and good. Eventually they will triumph over the forces of evil if they are better supported by the courts and the law.

P.H.S

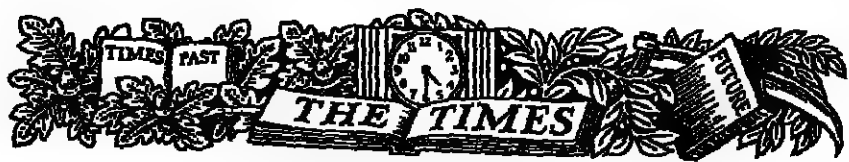
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17 OCTOBER 29 1996  
Howard  
dguns

THE TIMES TUESDAY OCTOBER 29 1996

17



## VIRTUE MUST BE TAUGHT

Why moral neutrality is immoral and self-defeating

There are three groups which stand in the way of success for the programme of civic renewal proposed by Frances Lawrence in *The Times* last week. The first argues that she is calling for the impossible; the second that she is calling for the undesirable; the third is unsure whether the programme is possible or desirable but thinks that support for it will win votes.

It is the third group, made up of politicians of all parties, which is the most familiar, the easiest to understand and the one that has so far been given the most attention. While Messrs Major and Prescott struggle in the unfamiliar floodwaters of moral discourse, it is worth looking more closely at the other two groups, the "can't be done" and the "shouldn't be done".

The "can't be done" group argue that a return to civic virtues is mere nostalgia in the modern world. Aristotle and Thomas Jefferson were able to agree positive communal rules because they were working for small, exclusive, leisured and self-sufficient communities: today, they say, we are all mere individuals swept up in a worldwide movement of money and markets which make a single community, even a nation, increasingly unable to set its own rules.

The "shouldn't be done" group argue that the revival of communal virtues is a possibility; but that any plausible means of revival would do more harm than good. Yes, they say, a community can be defined by the shared aims which its members have agreed to hold. Yes, less emphasis can be given to the freedoms which members of a community receive. But what happens to those who fail to share or agree those ends? They must either be forced to toe a line that they have rejected or shut out of the community altogether. The resulting exclusion (or more likely, in a modern society, compulsion) will bring more bad effects than any good that comes from the tighter rules.

Both opposing groups are a threat to those who advocate a heightened sense of civic virtue. But Mrs Lawrence and her allies are at less immediate risk from the "can't be done". As politicians have quickly discovered, promises merely to manage moral decline will not be popular. In elite salons it may be acceptable to treat Mrs Lawrence as a temporary irritant; in wider public discourse it is a fool who says that violent crime and family breakdown are fated to remain at current levels.

It is the tribe of "shouldn't be done" which needs most to be answered. The doubts that they raise may be loud and confused; but they contain legitimate and real issues none the less. Only by treating them with respect can progress be made. Those who preach higher standards of behaviour for a society need always to remember the failings of their predecessors, many of whom saw suitable community behaviour as something bestowed by birth. Aristotle excluded women; Jefferson excluded slaves; almost everyone excluded foreigners. In the last 200 years it has been more common to believe that civic virtue can be taught. Lessons have been formulated and for long periods successfully delivered. A headmaster like Philip Lawrence embodied, enacted and taught appropriate ethics. But some of those who resist such teaching will always doubt whether it is genuinely intended for them. The fear of exclusion by fact of birth still runs deep.

So does the fear of excessive compulsion. The *Observer*, reacting as though General Franco and Pinochet were at their gates rather than the gentle Mrs Lawrence, warned on Sunday of a "Dutch auction in repression". Some form of greater compulsion is, indeed, inevitable. If communal duties are to be restored alongside communal rights, a range of sanctions must be ready for those whose only idea of one's duty is not doing it. Those sanctions need strong leadership, constancy of application and sanctification by time. Wrong rules create bad citizens as easily as right rules create

good ones; and a genuine objection to the teaching of virtue is the problem of the "evil" (or misguided) teacher.

At the centre of Mrs Lawrence's own case is the removal of certain encouragements to antisocial vice and some enhancement of rewards for virtue. It is surely a modest proposal to stop the marketing of killer knives to those who fantasise about killing; if a dangerous product cannot be defined sufficiently to be banned outright, then license the point at which it is sold. Such a system would not remove all dangerous knives from the streets; but it could remove the outrage of their free and flaunted sale, strike a blow for civilised behaviour and hardly sever the roots of liberty.

As for directly teaching virtue, many of those who have replied to Mrs Lawrence through *The Times* have made suggestions as to how this could be done. The favourite is the recruitment of more teachers with the strength and commitment of Philip Lawrence. There is support for stronger systems of reward for good behaviour as well as for bolder content of lessons in the civic virtues.

How should that content be decided? The "shouldn't be done" group argue that to teach the virtues of traditional marriage and family life is to reduce the freedom of those outside it. This case is sometimes restated as a threat to the self-esteem of children who do not come from traditional families. Neither exposition is persuasive. Of all the threats to children's self-esteem at school, this is hardly likely to be the greatest one. As for reducing freedoms, a successful lesson in the difference between right and wrong prevents no one from doing wrong if he or she so chooses; but surely it is better if individuals know what is wrong and are aware of society's sanctions. Studied neutrality and moral relativism are, in themselves, immoral. Refusing to warn the vulnerable that they will suffer if they yield to untutored impulses is an abdication of responsibility. It is as wrong to withhold traditional wisdom from the young as it is to withhold any other form of nourishment.

Anyone who argues against any moral teaching at all has to ask themselves how happy they are with the content of teaching that otherwise remains. If a society has no ends other than the freedom of its members, its political discourse risks evaporating to nothing. If the level of public debate today seems low, if public interests seem merely trivial, if politicians are held in lower regard than pornographers, might it not be because all the important issues of public behaviour and morality have been removed from the debating floor? If, when a moral issue is raised, it is raised so badly and so crudely as to fall into immediate disrepute, might that be because the politicians are out of practice?

As it is in the country, so it is in the classroom. To some there may appear to be excellent arguments against promulgating the case against violence or teaching pupils to avoid cruelty, respect property rights and honour marital duties. But the result of teaching no virtues at all is a desiccated discourse whose dry emptiness extends far beyond the civics class. And into the vacuum left by the fear of teaching virtue imperfectly march the intolerance, incomprehension and fascination with extremists that the liberal-minded citizen rightly condemns.

At this point the case against the "shouldn't be done" merges with the case against the "can't be done"; for the latter's sense of powerlessness against the international forces of modernity is directly increased by the former's loss of the freedoms which they thought they possessed. The young have an acute sense of their small place in the domains of Microsoft and the Internet. Today's children will need power to exercise any kind of will in the coming world; but freedom by itself is not enough.

Power comes from a strong moral hinterland. Politicians who strengthen that true political base will earn the place in history that so many so vainly now seek.

## MALTESE CROSS

How 'Brussels' unseated a great European moderniser

At the threshold of Europe, Malta's voters have abruptly and unexpectedly shied away. The defeat of Edward Fenech Adami's Nationalist Party means Malta's precipitate withdrawal from its Partnership for Peace with Nato and, probably, the end of its application to join the EU. Great uncertainty lies ahead as the victorious Labour Party tries instead to reposition Malta closer to its North African "neighbours".

At least Alfred Sant, the multilingual young Harvard-trained Labour leader, bears a closer resemblance to Tony Blair than to Malta's octogenarian warhorse of the Left, Dom Mintoff. For this exercising of raw socialism, Mr Fenech Adami deserves the lasting credit. Since he first broke the political grip of Dom Mintoff's Labour Party in 1987, he has transformed Malta's living standards, prospects and its sense of itself. Out went the ideological solidarity with the Third World, including Malta's military alliance with Libya; down came the trade barriers and the economics of socialist autarky. Compulsory Arabic in schools ended, and rightly so. It was an unloved product of Dom Mintoff's obsession that Malta's Semitic national language gave it an "Arab" identity regardless of its history as a bastion of militant Christendom.

Mr Fenech Adami's defeat is a cautionary tale for all democrats. On bread-and-butter issues, he deserved to win. Much of Western Europe can only dream of annual growth

averaging 5 per cent, negligible unemployment, 3 per cent inflation, rapidly rising per capita incomes and sound public finances. Since Malta owes this new prosperity not only to Mr Fenech Adami's free-market policies but to his success in building up trade with the European Union, he had reason to believe that Malta's voters would back him decisively on EU membership.

But he had reckoned without one factor. "Europe" has been widely blamed for a policy which is as unpopular with the Maltese as was the poll tax in Britain — the replacement of customs duties by a 15 per cent VAT. This tax is unpopular for reasons that rebound to Mr Fenech Adami's credit. It forms part of his war against Mintoff-era corruption, by enforcing transparency on the many secretive, tax-evading, family businesses. But because the reform was linked to Malta's drive to conform with EU practice, Labour cited it as proof that Brussels was already eroding Malta's sovereignty. Its promise to repeal the hated tax swung enough votes to unseat the Government.

Malta is less keen than might appear to throw its "European" identity once again into question; Mr Sant himself admits that while ruling out membership, he wants "much more than an association" with the EU. If Brussels had less of a reputation for intrusive regulation, the verdict might have been different. The thought should please none but the opponents of a wider Union.

## Doctors v parents on child's care

From Miss Barbara Hewson

Sir, The Court of Appeal's recent decision to support devoted parents' refusal to subject their son to a liver transplant is to be welcomed ("Mother wins right to stop son's surgery", October 25; Law Report, October 28). However, this case is not, as some commentators have claimed, a retrograde victory for "parents' rights" over "children's rights". This is about the power of doctors to impose treatment on unwilling participants.

NHS hospitals are resorting to the courts, in this case via a local authority, when "life-saving" treatment is declined. The idea that the State has the power to detain small children in order to subject them to major surgery (assuming they survive) is, however, disturbing.

Here, the parents had been assured that their wishes would be respected. This was spelt out in the hospital's written policy document. Public bodies should not be allowed to flout their published policies like this, and the parents clearly had a legitimate expectation that this would not happen. Instead they found themselves the subject of a draconian order last year, even though they lived thousands of miles away.

Hospitals and authorities have massive resources to pursue "unreasonable" parents. The Official Solicitor (another arm of the State) claims the right to represent the child. What are ordinary people to do, when such powers are levelled against them? The answer is, I suggest, that they are supposed to capitulate. This family and its lawyers should be commended for their stand against state interference in private lives.

Yours sincerely,  
BARBARA HEWSON,  
12 Gray's Inn Square,  
Gray's Inn, WC1.  
October 28.

## Research on divorce

From Professor Howard J. Markman

Sir, Neither your report nor your leading article of October 23 on my team's research into the prediction and prevention of divorce mentions the main point of its implications.

Our research shows that the odds of staying together can be dramatically improved if couples receive training before marriage in how to handle conflict. For example, a study in Germany has shown recently that among couples who received our training programme in conflict management before marriage, 2 per cent had divorced after three years. For a comparable (control) group of couples who had not received the training, the rate was 17 per cent.

It does not seem to be incompatibility that destroys marriage but lack of skill in controlling the conflicts that incompatibility produces. Given the tide of misery that such conflict generates, for couples and for their children, there is surely a strong case for using proven methods of reducing it.

Yours faithfully,  
HOWARD J. MARKMAN,  
c/o One Plus One (Marriage and Partnership Research Charity),  
14 Theobald's Road, WC1.  
October 23.

From Mr Stanley J. Blenkinsop

Sir, My parents, happily married for almost half a century, were highly spirited people who regularly had forceful arguments. So much so that when I visited them during what turned out to be father's final illness, mother anxiously confided: "I really am dreadfully worried about Dad. He just doesn't seem to have a good row left in him any more".

Yours sincerely,  
STANLEY J. BLENKINSOP,  
22 Road Court,  
Macclesfield, Cheshire.

## Hair's breadth

From Mrs Helen Oldman

Sir, Philip Howard ("A jubilee for writers", October 28) seems to have been a victim of his own fast-moving newspaper world.

His malapropism missed by a "hair's breadth".

Yours faithfully,  
HELEN OLDMAN,  
Tumbledown Farm, Wheelers Lane,  
Brookham, Betchworth, Surrey.  
October 28.

## Face-saving

From Mrs Jillian Hart

Sir, When my eldest grandson returned happily from a week's summer camp, his mother had little trouble unpacking his grip. All was just as she'd left it clean clothes still clean and neatly folded, his sponge-bag, complete with new toothbrush and bone-dry flannel (letters, October 12, 15, 17, 18, 21) untouched at the bottom.

Yours faithfully,  
JILLIAN HART,  
Parkgate Farmhouse,  
Tenterden, Kent.  
October 21.

Letters to the Editor should carry a daytime telephone number. They may be sent to a fax number — 0171-782 5046.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

## Defining lines on offensive weapons

From Mr John Rayner

Sir, It appears that the drafting of legislation to take weapons off the streets is held up by difficulties in defining offensive weapons (report, October 25). If that is so, are other approaches being considered?

For instance, could legislation not be drafted to ban the possession of any item that could cause injury, unless the possessor could show that it was held for a peaceful domestic or commercial purpose? Under such a law a kitchen knife being carried home after purchase would be legal; but carrying the same item into a public place without a similar justification would be unlawful.

Carrying a licensed gun to or from a sporting venue, maintenance workshop etc would be lawful, but carrying even a licensed gun into a public place, for no demonstrable peaceful purpose, would be as unlawful as the possession of an unlicensed gun.

Such legislation would place the emphasis upon the intentions of the possessor rather than upon the nature of the item possessed. A chairleg in a furniture factory is acceptable; under a donkey jacket it is not.

Yours faithfully,  
JOHN RAYNER,  
29 Norval Road,  
North Wembley, Middlesex.  
October 25.

From Mr A. C. Ogilvie-Smith

Sir, There is little difference between the kitchen knife used by the innocent chef and the knife used by a criminal to stab (report and photograph, October 26). There is, however, a difference

in the parts of the knives that are used. In the kitchen the cutting edge (running the length of the blade) is in most use. In a stabbing, typically the extreme end of the blade is employed: the injury results from the pressure exerted on the negligible surface area of the tip of the blade, which can then penetrate a victim's body to a dangerous depth. Cutting edges can injure, but are much less likely to kill.

Knives with deliberately blunted ends cannot penetrate as far, if at all, and are less dangerous. Let us concentrate on the greatest danger, that posed by the knife-point, and on how we can eliminate it.

Yours faithfully,  
ADAM OGILVIE-SMITH,  
Hyde House,  
Longworth, Oxfordshire.  
October 27.

From Mr P. R. Ridgway

Sir, The Prime Minister has rejected a call for a ban on combat knives, apparently because of the difficulty in producing an accurate definition. Why should this be a barrier? There is similar difficulty in defining obscenity and pornography but the legislation seems to work most of the time, with judges and juries applying common-sense definitions.

If the definition was "knives whose primary function is for combat", and if the police had powers to confiscate, this would seem to offer a pragmatic and workable solution.

Yours sincerely,  
PHIL RIDGWAY,  
27 Naverne Meadows,  
Woodbridge, Suffolk.

## Response to the Lawrence manifesto

From Dr Kay Andrews

Sir, It is a measure of her moral authority that Frances Lawrence can write: "The tragedy of Learo Chindano is that there was no one, like Philip, to show him what he might be" ("My manifesto for the nation", October 21; letters, October 23, 25). In the search for renewal, ethical and practical, the life of Philip Lawrence obliges us to look urgently at how we can support schools and teachers in that task.

We have neglected the complex needs of young teenagers for years. Poor parenting, self-esteem, and community facilities can all drive young teenagers into the streets and cement their lack of achievement. The obvious and affordable solution is better provision when they are not in school.

Education Extra — and our network of 800 schools across the country — is already paving the way. By enabling schools to offer after-school and holiday-care clubs for working parents, to lay on homework and learning centres, to extend their arts, sports and special interest clubs and their opportunities for volunteering and community action we are helping young people to exercise social responsibility. Such schools now have a powerful advocate in Frances Lawrence.

Showing young people "what [they] might be" cannot all be done in the school day; it cannot all be done by teachers, and it needs resources. We need a national programme to put after-school opportunities within the reach of all young people — a programme which gives priority to young people's potential as citizens and to the schools' role in rebuilding community life. That would be in the best sense a tribute to the life of Philip Lawrence.

Yours faithfully,  
KAY ANDREWS (Director),  
Education Extra,  
St Margaret's House,  
17 Old Ford Road, E2.  
October 28.

From the Chairman of the  
Institute of Business Ethics

Sir, It behoves us all to respond to the appeal to the nation by Mrs Lawrence.

## Damage to NHS

From Dr Alastair Lack

Sir, Mr C. B. T. Adams (letter, October 22) points out that the reformed NHS accounting rules have made fast departments thin and the main moribund.

Many medical staff concerned with management have studied it with a will, even acquiring the MBA (Master in Business Administration). Would that our managerial colleagues and the politicians who make the rules studied medicine as hard.

The army of accountants and managers in our hospitals and at the purchasing authorities are almost medically illiterate. As a result, distrust between management and medical professionals has widened.

Contracts worth millions of pounds are being based upon case numbers. Would any company purchase numbers of cars, not knowing the make or model? There is substantial resistance to contracts based on priorities other than waiting time (used because it is the only criterion that can be measured from a distance).

For the NHS reforms to succeed requires a new breed of administrator with a good knowledge of medical practice as well as management.

Yours sincerely,  
J. A. LACK,  
(Director of Resource Management,  
Salisbury Hospital, 1990-95),  
The River House,  
Coombe Bissett, Salisbury, Wiltshire.

## Lands where old school ties still fly

From Mr Guy Willoughby

Sir, Your leading article of October 24, lamenting the disappearance of the "empire-building" Old Etonians "wiped out by world wars", is surely flawed. There are Old Etonians in Abkhazia, Afghanistan, Angola, Armenia, Azerbaijan ... and on the banks of the Zambesi.

Our "office hours" are with diplomatic missions, leading relief convoys, news reporting, clearing landmines, finding new oil fields, flying planes off bush strips, peacekeeping. For "recreation" we still prefer rod, rifle or horse to yoghurt-knitting or surfing the Internet.

As for OE ties, the careers of our choice tend to mean no ties at all.

Yours etc,  
GUY WILLOUGHBY,  
c/o Gilchristland,  
Thornhill, Dumfriesshire.  
October 25.

## School league tables

From the Headmaster of  
Gordonstoun

Sir, It would not be appropriate for one headmaster to comment on the conduct of another. However, in the light of recent events at Cheltenham College (letters, October 22, 24), I do feel both entitled and honour-bound to express a view on the national pre-occupation — now bordering on obsession — with the much-valued and substantially flawed league tables.

If we dwell on academic achievement as the sole criterion in education, the omens are gloomy, not just for headteachers but for society itself. We must endeavour to appreciate that the academic fact of education and upbringing is invalid as an end in itself: it is no more than an element to be balanced and complemented by the development of character, training in citizenship and the stimulation of spiritual aspiration.

Then, and then only, hope will become a word which will follow into, through and out of our schools. The nation's young people possess potential, qualities and talents that are as strong as they have ever been. We owe it to them and to future generations to get it right.

Yours faithfully,  
M. C. PYPHER, Headmaster,  
Gordonstoun School,  
Elgin, Moray.

## Bruce Matthews

From Mr Peter Stephens

Sir, Your obituary of Bruce Matthews, former Managing Director of News International (October 25), emphasised his love of racing. During a strike of journalists at *The Sun* in Boulevard Street in the Eighties, I was able to put his knowledge of the sport to good use.

It was decided that I should sub-edit and lay out the sports pages (as Editorial Director, my copy was acceptable to the print unions) while Kelvin MacKenzie, the Editor, produced the news pages. We were under some pressure, and short-cuts had to be taken. On the first day of the strike, I hurriedly wrote tips for the main race meetings, using the pseudonym Steve. Bruce offered to take over this responsibility, and brought his selections to my office in secrecy. The copy was sent to the printer in my handwriting, and "Steve" tipped a number of winners. It was a race that brought him much pleasure and amusement in what was otherwise a tense situation.

With valuable help from Bruce Matthews and others, we continued to produce the paper for a number of days until the strike was abandoned.

Yours faithfully,  
PETER STEPHENS,  
3 The Friary, Appletongate,  
Newark, Nottinghamshire.

## All at sea

From Mr Denis Harvey-Kelly

Sir, The announcement (*Travel News*, October 24) that the tour operator Saga has bought the cruise ship *Sagafjord* is coupled with the chairman's comment that it is exactly the right size for his customers.

He added: "You could spend a week on board some of the ships now at sea and not even meet the people with whom you embarked". I had not realised one could be so lucky.

Yours faithfully,  
H. D. HARVEY-KELLY,  
Corby House, Sherborne, Dorset.

## Back in touch

From Mrs Barbara Graham

Sir, During the past six months, through your letters page, I have been happily reunited with two friends last seen some 35 years ago. Our connection was Hulton Press, Fleet Street, in the days when *Eagle*, *Girl*, *Robin* and *Swift* were favourite comics and *Picture Post* much more than just a picture library.

Careful, Sir, *Times* Letters could become a "Where are they now?" column.

Yours faithfully,  
B. GRAHAM (née BERRY),  
4 Kelmiscott Close,  
Caversham Heights,  
Reading, Berkshire.







OBITUARIES

DEREK TANGYE



Derek Tangye, author, died at his home in Cornwall on October 26 aged 84. He was born on February 29, 1912.

I was with total astonishment that the friends and colleagues of Derek Tangye learnt that he was intending to abandon the life of a Fleet Street gossip columnist for a sojourn in a broken-down cottage in far-off Cornwall. The year was 1949. Tangye was enjoying a highly successful career writing for national newspapers ranging from the *Daily Express* through the *Daily Mail* to the *Daily Mirror*.

He and his wife Jeannie were one of the most glamorous couples in London. When she walked down the staircase at the Savoy, the orchestra broke into the strains of the popular song *Jeannie with the Light Brown Hair*. Danny Kaye, Noel Coward, Tyrone Power, Bing Crosby and A. P. Herbert were among her friends. There was something approaching anguish in the ranks of her admirers when they heard that she and her husband were proposing to immure themselves in the hard-favoured, wind-blown county on the far side of the River Tamar.

The contrast with the life to which they were used could hardly have been more stark. Rural England had not yet been turned into one continuous theme park, picked out by monotonous brown signposts adorned by explanatory hieroglyphs. Cornwall was not then, as it has since become, a county of retirement bungalows, golf, watersports, bird-watching safaris, shark fishing cruises, tours of stately

homes and international surfing championships.

The crossing of the Tamar on Isambard Kingdom Brunel's famous tubular steel Royal Albert Bridge transported the traveller from the certainties of civilisation into a land of reluctant soil, miserly, lichen-clad trees, perpetual mists and cottages without electric lighting or sanitation. The Tangyes were to exchange a round of theatres, nightclubs, restaurants and ballrooms for a derelict cowman's house on the edge of a beetling cliff looking out onto the Atlantic ocean hundreds of feet below.

It was a decision neither regretted. Tangye and his wife found spiritual calm in the rhythms of the rural tasks they set themselves, the growing of potatoes and daffodils. And the series of books he wrote about this transformation and the idyll they found at the end of it, made him, if not rich, then quite comfortably off; he was always an author with a consistent and loyal following. The titles tell their own tale: *A Gull on the Roof*, *A Cat in the Window*, *A Drake at the Door*, *A Donkey in the Meadow*, all convey the atmosphere of quiet contentment the Tangyes were to experience in their new home.

These were not the only books Tangye wrote. He had in fact published several volumes on historical and kindred topics during the war years. But it is for the story of his Cornish adventure that he is best remembered.

Apart from the material rewards his books brought him, Tangye had the satisfaction of knowing that they gave much pleasure and a certain easy envy to the thousands who read them. Many

of those readers were moved to visit the Tangyes' cottage, Dorninnack, high above Lamorna Cove, and walk along the dramatic cliffs of this western extremity of Cornwall, which breast the uncontrollable rage of winter storms like a granite bulwark.

Derek Alan Trevithick Tangye was born in London — although, as the last of his given names indicates, his forebears were Cornish. His father had practised as a lawyer in the Duchy.

Tangye went to Harrow which endowed him with social assets but little in the way

of marketable attainments. He got a different kind of education first as a clerk in the City and then in Fleet Street, where he worked as a reporter and gossip writer for various newspapers. During the war he was employed on special, but mainly sedentary, duties at the War Office.

He first tried his hand at writing during this period but his early books — *Time was Mine* (1941), *Went the Day Well* (1942) and *One King* (1944) were, though workmanlike, unremarkable. It was not until more than ten years after his arrival in Cornwall, by

which time he had been able thoroughly to digest the experience, that *Gull on the Roof* (1961), the first of his country books, was published. A light-hearted, uncomplicated account of the transition from town to country, it was an immediate success.

It was quickly followed by others in the same vein, dealing with the various animals and birds which became part of their lives, particularly cats for which they both shared a special affection.

Jeannie, whom he married in 1943, played a very large part in the events which he

described. She, too, had been a journalist, writing an agony column on the *Daily Mirror* under the pseudonym of Dorothy Dix. Later she joined the press office at the Savoy and went on to become head of public relations at the hotel.

She died in 1986 and so did not live to see the very recent resurgence in interest in her husband's work, with the reissue of paperback volumes and plans to serialise his work on television. He himself died at Dorninnack where he had spent the most fulfilling years of his life.

The couple had no children.

JACK TINKER

Jack Tinker, theatre critic of the *Daily Mail*, died yesterday apparently of a heart attack aged 58. He was born on February 15, 1938.

IN THE 1970s the gossip column of the weekly magazine *What's On* invariably prefaced its references to Jack Tinker with the phrase "small but perfectly formed" and it may have been his lack of height that spurred him on to become the centre of delighted attention in almost any gathering. For many years he was a favoured guest at Andrew Lloyd Webber's home at Sydenham, where at some time over the weekend he would be prevailed upon to present a hilariously witty cabaret act before his fellow guests.

He was particularly fond of absurd coincidences, and his account of these, in the process of telling, seemed to gather festoons of other coincidences along with them until no explanation could be conceived that would account for them in a rational world. He would protest that what he had said was true, and generally it was.

He was one of the very few critics who regularly performed in public, not just as a compere, which is how he began this side of his career, but as an artiste. One of his most celebrated exploits occurred at the party celebrating the retirement of a senior executive of the *Daily Mail*. There had been some talk of the Goebbels diaries at the time, and at the height of the party Jack appeared dressed as Goebbels (his lack of height was a help here) with two swastika armbands in Nazi uniform behind him.

He proceeded to advance upon the astounded executive and slap at him with his riding crop for bringing his name into disrepute. His editor, trying to restrain his smiles, declared this demonstration to be the ripest example of bad taste he had ever come across.

Tinker enjoyed sumptuous clothes, which he wore easily and without peacocking in them. Bold checked suits, long overcoats in black leather — one of the enjoyments of a First Night was the prospect of Jack in some new garb that most middle-aged critics would blanch at wearing, or would wear with every sign of embarrassment. Jack was embarrassed by nothing — sometimes taken aback, perhaps, but then he would cap the remark with one much more extraordinary of his own.

Jack Samuel Tinker was educated at Hulme Grammar School for Boys, Oldham, but went south to begin his journalistic career, starting as a trainee on *The Surrey Advertiser* in 1957. After three years there he went to the *Evening Argus* at Brighton, eventually becoming theatre critic. After a year on the diary at the now defunct *Daily Sketch*, in 1971 he went to the *Daily Mail* to begin his distinguished career as a showbusiness and theatre critic.

He soon made himself into a highly visible figure on the theatre circuit. Before heading off to the West End of an evening he was generally to be found at the bar in Kensington which is opposite the *Mail's* offices, holding court to a circle of colleagues whom he would regale with funny stories and champagne, his favourite tipple. He was king of the anecdote and was known to be able to make his audience literally weep with laughter.

A highly strung individual, he could be morose at times. But when he was in good spirits he was, as a raconteur, simply incomparable. One of his much-appreciated gestures among his colleagues was the Friday night sortie to the Savoy, where he would entertain the entire *Mail* showbusiness department to yet more champagne.

His acquaintanceships in

showbusiness and society were legion: he was a walker for Princess Margaret and a close friend of Michael Barrymore. He tended to be taken for the ballet dancer Wayne Sleep, both men being trimly diminutive.

His sense of humour — camp, impish and accompanied by a wide grin — was renowned. But in a profession not known for its sentimental spirits, Tinker also stood out as a critic who emotored almost as visibly as the performers he was reviewing. Tender scenes of love or tragedy moved him to tears, and his great talent was an ability to carry that directness of response straight into his writing. He was shrewd and intelligent, but for him theatre was primarily a strong emotional experience. He often wrote about how moved, touched or (much rarer) outraged he had been by a production.

More an aficionado of performance than of new plays, he loved big, brave acting. Scofield, Redgrave and Atkins in *John Gabriel Borkman* at the National characteristically left him "fighting back tears" and declaring himself emotionally "defeated", his "resistance breached" by a play he had not previously thought he admired.

Because of the colour, clarity and humour of his style, his reviews were given greater prominence in the *Mail* than any middle-market theatre critic had achieved, at least since the days of Bernard Levin. He was capable of



ambling coolly out of the theatre and creating a considered review in an astonishingly short time: it was noticeable that a recent competitor on the *Express* was reduced to going to previews in order to keep up with him — and still produced less lively reviews.

He was a warm, generous critic, as well as a naturally kind man, and clearly enjoyed celebrating success more than mocking failure. Witness his review of Sondheim's recent musical, *Pandora*. Tinker clearly thought the work ridiculous, but he softened his objections to the musical's "strange and perverse quality", preferring to say that it allowed Maria Frimman to prove herself "not only among the finest singers on the London musical stage, but its greatest actress". If he had a fault it was to go over the top in his enthusiasms. But the London theatre had fewer more persuasive or unforgivingly enthusiastic champions. He was critic of the year in 1982, 1989 and 1991 and was also the recipient of the De Courcy Critics Circle Award of 1991.

He wrote two books, *The Television Barons* (1980) and *Coronation Street — 25 Years* (1985) as well as several entertainments for the stage. *Mermaid*, *The Lady and the Song*, was put on at the Donmar Theatre in 1985 and was seen at the Lyric Theatre, Hammersmith, in 1989. *In Praise of Raiglen* (written with Martin Tinkner) was done at Chichester and at the Princess Grace Theatre, Monte Carlo.

He married in 1961 Mavis Ann Page. The marriage was dissolved in 1969 and he is survived by two daughters: a third daughter predeceased him.

LADY CHANCELLOR

Lady Chancellor, OBE, founder of the Prisoners' Wives Service, died on October 26 aged 95. She was born on July 1, 1901.



Sylvia and Christopher Chancellor on their wedding day in Somerset in 1926

SYLVIA CHANCELLOR was one of the wisest and most entertaining women of her generation. In the company of her sister Pamela Glenconner — her much loved second sister Angela died relatively young — she could reduce the most pompous and self-confident to tears. She was also the last of a generation who combined extraordinary frivolity with an innate sense of public duty. Until well into her nineties, she delighted her 16 grandchildren, hammering the piano and singing Edwardian music-hall songs.

As a child, Sylvia was reduced to driving round Somerset in a pony cart, begging food to feed her

hungry brothers and sisters. This was not because of poverty — they lived at Cranmore, a vast country house that now accommodates a boys' preparatory school — but because of the wild irresponsibility of her parents.

Her father, Sir Richard Paget, was an eccentric inventor, but not a practical provider. He spent his time at Oxford training his dog to say "Lola, I love you!" he designed motor cars at the turn of the century that look like production models of the 1950s, invented a fireproof glass, and attached wireless transmitters to seals in the First World War to send back information on German U-boats. At Cranmore he built a bird's nest at one point and lived in it for several weeks.

Her mother, Lady Muriel, was often in Eastern Europe, rescuing English governesses from revolution and enchant-

ing President Tomáš Masaryk. At Roedean Sylvia and her sister were used to their names appearing in red on the notice-board, their school fees unpaid.

Sylvia loyally assisted her father in his experiments — one involved quite a serious fall jumping off a fast-moving bus to prove that if you leaned forward you would land on your feet — and trailed round Canada with him demonstrating his artificial voice-box. He also taught her to hum one tune, whistle another and tap out a third on her cheek — all at the same time.

She went to Newnham College, Cambridge, where she read English, and soon after she had graduated to become a teacher at Down House, near her future husband Christopher Chancellor. He was slightly younger than she was, and they married in the face of disapproval from both their families.

He joined Reuters, working his way up to become Far-Eastern manager, when they moved to Shanghai. There she dominated the English colony described in J. G. Ballard's *The Beggars Opera*. When the Japanese arrived in her garden, she successfully ordered them off the grass. Later they arrested her on the Trans-Siberian Railway and put her in prison in Korea, where she demanded and got a daily copy of *The Times*. When brought to Tokyo to be told she was free, she insisted on them paying her fare back to Shanghai.

In England, with her house at Dane End in Hertfordshire full of evacuated children, her target-practice with her husband's revolver terrified the neighbours, who said they would prefer a German invasion, and the house caught fire so often that she greeted the local brigade with a cry of "Gentlemen, to your accustomed places!" Throughout the war she worked at the Czech Institute — she later persuaded John Gielgud and

others to take part in her Dvořák centenary celebrations — and when their first floor flat opposite St Paul's was bombed, she continued to use it, climbing a ladder through the gutted ground floor beneath.

With the coming of the Labour Government and her husband now general manager of Reuters, she drilled her children to sing part-songs for a wide variety of guests, including the Emperor of Japan, Clement Attlee, Kwame Nkrumah and the young Rupert Murdoch; but her enthusiasm for the duties of a corporate wife was limited. She was an inspired gardener — her husband's regular response on returning home was: "What fresh insanity is this?" — and grew vegetables commercially, driving them to a shop in Ware and to two shops she opened in Crouch End.

Her most serious achievement was founding the Prisoners' Wives Service after seeing the distress of her cleaner in London, whose husband had been arrested at four in the morning and who at that time had no official means of getting help. With inspired energy and irresistibly charming bossiness she enlisted the help of Roy Jenkins and Lord Mountbatten and was appointed OBE in 1976 for her work.

She continued to be dazzling and eccentric. At Hunstrete House, near Bath, she kept a pet white goat whose hooves clicked on the marble floor. Never completely happy at rest, she bought the Priory at Ditchley, which she began renovating when she and her husband were both approaching 80, entirely redecorating it and making a new garden. "When we get really geriatric," she said, "we're going to live in New York." Her last days were in fact spent, very happily, in a little cottage in Shellingford where she continued to entertain and delight everyone in the village.

She is survived by two sons and two daughters.

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LADY WARWICK ADOPTED.

HER PLACE IN THE LABOUR PARTY.

Candidates: (Captain Anthony Eden (C) (Mr George Nicholls (Lib) (Lady Warwick (Lab)

ON THIS DAY







## Ordering production of material

**Regina v Guildford Crown Court, Ex parte Director of Public Prosecutions**  
**Regina v Southwark Crown Court, Ex parte Bowles**  
Before Lord Justice Simon Brown and Mr Justice Gage  
[Judgment October 17]

Where an order for the production of material was sought, the use of section 93H of the Criminal Justice Act 1988, as inserted, was appropriate to determine, in respect of criminal offences, whether someone had benefited from it and/or the whereabouts of the proceeds of the use of section 93H of the Criminal Justice Act 1988 was appropriate to determine the production of the material was for criminal investigation purposes to determine whether an offence had been committed and if so to provide evidence of that offence.

The Queen's Bench Divisional Court so held when allowing two applications for judicial review. In the first, the Director of Public Prosecutions challenged the refusal on April 11, 1996 of Judge Bull, QC, at Guildford Crown Court to grant an order under section 93H of the 1988 Act, as inserted by section 11 of the Proceeds of Crime Act 1995, for the production of details of bank accounts in which the proceeds of prostitution were held.

In the second, Karen Bowles, a certified accountant, sought judicial review of the order on March 29, 1996 of Judge Jackson at Southwark Crown Court under

section 93H requiring her to produce all business records of two clients facing charges of dishonesty.

Section 93H of the 1988 Act, as inserted, provides: "(1) A constable may, for the purposes of an investigation into whether any person has benefited from any criminal conduct or into the whereabouts of the proceeds of any criminal conduct, apply to a circuit judge for an order [for the production subject to conditions] of particular material..."

"(4) The conditions referred to... are - (a) that there are reasonable grounds for suspecting that a specified person has benefited from any criminal conduct..."

Section 9 of the 1984 Act provides: "(1) A constable may obtain access to excluded material... for the purposes of a criminal investigation by making an application under Schedule 1..."

Schedule 1 provides: "If a circuit judge is satisfied that... (a) there are reasonable grounds for believing (i) that a serious arrestable offence has been committed; (ii) that there is material... on the premises... (iii) that the material is likely to be of substantial value... to the investigation in connection with which the application is made..."

Mr Andrew Mitchell for the DPP; Mr Robin Johnson for Ms Bowles.

LORD JUSTICE SIMON BROWN said that at the heart of the argument, in both cases, lay a comparison between the section 93H power in the 1988 Act and the power to make similar orders under section 9 of the 1984 Act. The difficulty in the case consisted of determining the precise inter-relationship between them.

The differences between the two were, in his view, that applications under section 93H could be made ex parte while those under section 9 had to be made in parties; that the section 9 power arose only when there existed "reasonable grounds for believing" that an offence had been committed whereas the section 93H power involved a lower threshold test of "reasonable grounds for suspecting" that someone had benefited from criminal conduct.

Section 9, while the more limited of the two, did not apply in circumstances where on its true construction section 93H did. Mr Mitchell's essential submission was that wherever anyone was reasonably suspected of an acquisition offence, a crime of gain, section 93H had effectively superseded section 9.

Mr Johnson's argument was that section 93H was directed solely towards assisting in the recovery of the proceeds of criminal conduct; it had no application to the investigation of the crime as such.

liament could not have been intending in that way to bring about what would be to all intents and purposes the substantial repeal of section 9.

It would be wrong therefore to construe the words in section 93H(1) "an investigation into whether any person had benefited from any criminal conduct" as if they were synonymous with "an investigation into whether any person had benefited from a crime".

At that point, however, the real difficulty in the case arose: how to determine what properly was an investigation into the proceeds of criminal conduct within the scope of section 93H and what could still only be investigated, if at all, under the more stringent controls applying to section 9.

In deciding under which section an application ought to be made, the question to be asked was what was the dominant purpose of the application: was it for criminal investigation purposes, to determine whether an offence had been committed and, if so, to provide evidence of that offence or was it to determine, in respect of criminal offences, whether someone had benefited from it or the whereabouts of the proceeds.

With those considerations in mind his Lordship considered the two matters before him. In the Guildford case the court had refused the application because, inter alia, there were other avenues open to the prosecution and the court did not consider that it had the power to make the order unless other matters had been tried first.

mind his Lordship considered the two matters before him. In the Guildford case the court had refused the application because, inter alia, there were other avenues open to the prosecution and the court did not consider that it had the power to make the order unless other matters had been tried first.

In that, his Lordship said, it was wrong, although it would have been entitled to reject the application as a matter of discretion on the basis that it was not in the public interest to use section 93H because another power was more appropriate.

In these circumstances it was plain that the police were seeking production of the bank's documents predominantly to determine the extent to which the accused had benefited from their offending and the whereabouts of their gains.

In the Southwark case it was less clear that the predominant reason the police sought the documents was essentially with a view to their obtaining present restraint orders rather than further investigation of Ms Bowles' clients' alleged criminality.

His Lordship doubted that the court should have been asked either by the court or the police in those circumstances it seemed necessary to quash the production order until a final decision had been made as to which was the appropriate statutory power to be used.

Solicitors: Crown Prosecution Service, Guildford; Wainwright & Cummins.

## Implied term cannot be read into union deal

**Ali v Christian Salvesen Food Services Ltd**  
Before Lord Justice Waite, Lord Justice Saville and Lord Justice Otton  
[Judgment October 18]

There was no justification for an implied term being read into a collective agreement which was freely negotiated with two trade unions representing a substantial labour force.

Therefore, an employee who claimed that the hours which he had worked before being made redundant exceeded the number of hours on which his standard wage had been calculated under the agreement was not entitled to be paid for the alleged excess when the agreement did not specify what was to happen in such an eventuality.

The Court of Appeal so held when allowing an appeal by the employee, Christian Salvesen Food Services Ltd, from a decision of the Employment Appeal Tribunal (Mr Justice Mummery, Mr Justice Jackson and Mrs M. Sanderland) (1996) ICR 11 reversing a decision of December 7, 1993 of a district judge at Southwark, London, dismissing a claim by the employee, Mr Ali.

Mr Peter Wallington for the employers; Mr Andrew Glenne for Mr Ali.

LORD JUSTICE WAITE said that the appeal arose from the adoption by the employers of collective agreements, negotiated with the Amalgamated Engineering and Transport and General Workers' Union, in September 1991 and April 1992 respectively, for what was termed the "annualisation" of wages.

The court had been told that such agreements had achieved some popularity, in cases where the standard wage was seasonal, as an alternative to the ordinary incidence of basic rate pay and overtime, which was liable in such trading conditions to produce capricious and unfair results for either side.

Annualisation agreements provided the workforce with an assured overall wage calculated, like a salary, on an annual basis: it was a sum which was fixed in advance for management's appointment of hours of work to fit fluctuations in seasonal demand.

The employers were engaged in the processing and storage of vegetables. They had a workforce of about 150 at their cold store and factory in Lowestoft, Suffolk.

The collective agreements provided in summary that the workforce, which had previously been paid on a traditional arrangement as hourly paid workers entitled to overtime if and when worked in any particular week, should be paid a standard wage, varying according to the grade of employee concerned, on the basis of a roster providing for a total of 1,824 hours to be worked during the twelve months from June 1, 1993.

Those hours and the applicable standard wage were both calculated broadly on the basis of an assumed 40-hour working week averaged out over the 12-month period and adjusted to take account of holiday entitlement.

No specific provision was made in either the collective agreements or the individual employment contracts of employees, for the eventuality that an employee might cease work for any reason before the 12-month period was completed and the 1,824 hours were worked.

Mr Ali was an employee who was made redundant at a time when he had worked only 22 of the 52 weeks shown on his roster for the year. He claimed that the hours he had worked exceeded the "normal" of working hours by reference to which his standard wage had been calculated.

He applied to the industrial tribunal for a declaration as to his entitlement to be paid pro rata for that alleged excess. The industrial tribunal dismissed the application and held that in the absence of specific provision to cover the eventuality of premature termination, Mr Ali must be content with the standard wage which the collective agreements had ensured him, regardless of the hours actually worked.

The Employment Appeal Tribunal allowed his appeal and held that there ought to be implied into the individual and collective agreements a term that would entitle an employee whose employment was terminated by the employer before the end of the pay year to be paid the standard hourly rate for the hours actually worked by him in excess of 40 hours a week.

His Lordship said that the implication of an implied term depended in the final analysis upon the intention of the parties as collected from the words of the agreement and the surrounding circumstances: see *Chitty on Contracts* (27th edition) (1994) volume 1, paragraph 13-003.

Since that agreement itself was

wholly silent as to the consequences of a premature termination it was not a case where the contractual documents created by their wording an internal context in favour of or against the implication of the proposed term.

What of the surrounding circumstances? In his Lordship's view the circumstances were crucial as this was a collective agreement negotiated across a broad front for a substantial labour force.

It represented a carefully negotiated compromise between two potentially conflicting objectives: the desire on the one hand of the employees to have an assured rate of weekly pay spread over a long period to which they would be entitled regardless of the hours actually worked, and the desire on the other hand of the employers to avoid the high cost of paying overtime rates at periods of peak demand.

It was in the nature of such an agreement that it should be concise and clear. One would expect the parties to set against any attempt to legislate for every possible contingency.

Should there be any topic left uncovered by an agreement of that kind, the natural inference, in his Lordship's judgment, was not that there had been an omission so obvious as to require judicial correction, but rather that the topic was omitted advisedly from the terms of the agreement on the ground that it was seen as too controversial or too complicated to justify any variation of the main terms of the agreement to take account of it.

It was an agreement which, by its very nature, would require it to be applied to many eventualities that it did not, and could not, realistically cover specifically.

The omission of any reference at all to the contingency of a premature termination, but rather of an employment might at first sight seem surprising, but it became less so when regard was had to the immensity of the task of legislating for every eventuality resulting from such termination.

The very plain case against the implication of the proposed, or any, term.

The appeal was allowed and the industrial tribunal's decision reversed.

Solicitors: Edward Lewis; Nicholson, Lowestoft.

## Evidential threshold for planning objection costs

**Regina v Secretary of State for the Environment, Ex parte Wakefield Metropolitan Borough Council**  
Before Mr Justice Jowitt  
[Judgment October 16]

In the context of a planning inspector deciding whether to make an order for costs against a planning authority which had raised an objection to a planning application, there was an evidential threshold which, if reached, was likely to put a planning authority beyond the risk of a finding that it had been guilty of unreasonable conduct.

A sufficient evidential basis was reached with evidence not lacking in real substance which was capable of belief and if accepted capable of making good the objections. There might not be only one test of unreasonable conduct in respect of raising a planning objection and the evidential threshold.

A planning inspector was not required to give reasons, if he did not follow them, for distinguishing other costs decisions brought to his

attention unless some real point or principle was involved.

Mr Justice Jowitt stated in the Queen's Bench Division when dismissing an application for judicial review by Wakefield Metropolitan Borough Council to quash an order for costs made against it by the planning inspector of the Secretary of State for the Environment who dismissed an appeal, by a firm called Cobex Ltd, against a refusal by Wakefield of an application to extract opencast coal from a site within its area.

The inspector ordered Wakefield to pay the costs incurred by Cobex in bringing evidence on dust, noise and vibration and, second, to pay the unnecessary additional costs incurred in concluding a section 100 obligation under the Town and Country Planning Act 1990.

Mr Anthony Creen for Wakefield; Miss Alice Robinson for the secretary of state.

1972 and paragraph 6(4) of Schedule 6 to the 1990 Act. It was a discretionary power and guidance as to the exercise of discretion was provided in planning circular DoE 8/93 and its annexes.

His Lordship adopted the interpretation of the words in the circular "evidence to substantiate their reasons for refusal" in *R v Secretary of State for the Environment, Ex parte North Norfolk District Council* (1994) 2 PLR 78, with the rider that the kind of evidence which was contemplated, although not such as to carry the day, should have real substance.

In addition, the test was one of unreasonableness, not just whether an authority had produced evidence to substantiate its case on a particular issue: see *R v Secretary of State for the Environment, Ex parte Chichester District Council* (1993) 2 PLR 11.

Thus there was an evidential threshold which, if reached, was likely to put a planning authority beyond the risk of a finding that it had been guilty of unreasonable conduct.

His Lordship referred to that by use of the phrase "sufficient evidential basis" by which was meant evidence, not lacking real substance, which was capable of belief and which, if accepted, would be capable of making good the plaintiff's authority's objection.

His Lordship emphasised that there might not be only one test of unreasonable conduct in relation to the raising of a planning objection and the evidential threshold.

The guidance provided by the circular did not purport to deal with every permutation of circumstances which might arise. The inspector asked to find that a party to an inquiry had acted unreasonably had to make a judgment drawing such assistance as was available from the guidance in the circular.

His Lordship noted that the parties approached the question of a sufficient evidential basis on the premise that a planning authority which raised an objection without calling any evidence to support it would not be at risk of an order for

costs if, in seeking to deal with the objection, the appellant called evidence which in fact provided the sufficient evidential basis for the objection, even though it proved insufficient to make good the planning authority's objection.

His Lordship adopted that approach, as had the inspector, and noted that he had not had to consider whether that was a correct approach or one which applied in all cases.

In his Lordship's judgment, the inspector was entitled on the material before him to conclude that in raising the issue as an objection the authority was guilty of unreasonable conduct.

A further challenge to the costs decision on the noise issue arose because another inspector had in similar circumstances refused to make a costs order against Wakefield. It was argued that in taking a different view the inspector should have explained his reasons for not following the earlier decision: see *North Wiltshire District Council v Secretary of State for the Environment* (1995) 2 PLR 113, 122.

## Policy decision reviewable

**Regina v Secretary of State for the Home Department, Ex parte Lauder**  
Before Lord Justice Henry and Mr Justice Ewbank  
[Judgment October 16]

The Home Secretary's discretion under section 12 of the Extradition Act 1989 was not justiciable, and there was no warrant for interfering with that discretion on the ground that the decision was taken on political or policy grounds, however important or sensitive they were.

The Queen's Bench Divisional Court (Lord Justice Henry and Mr Justice Ewbank) so held on an application for judicial review of the decision dated January 12, 1994 of the Home Secretary to issue a warrant for the arrest and extradition of the defendant, Mr Laufer, to Hong Kong to face trial upon charges of corruption.

LORD JUSTICE HENRY said that the court would be properly sensitive both to the delicacy of relations with the foreign state and

the advantages which the primary decision-maker, the Home Secretary, had over it in relation to the issue in question; but that was not an argument for making that issue non-justiciable; it was simply a reminder of the limitations of the constitutional role of the reviewing court.

Whatever these limitations, the court must observe its constitutional role to ensure that the protection Parliament intended was afforded to the fugitive. Their Lordships quashed the warrant and remitted the matter to the Home Secretary for further consideration.

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the advantages which the primary decision-maker, the Home Secretary, had over it in relation to the issue in question; but that was not an argument for making that issue non-justiciable; it was simply a reminder of the limitations of the constitutional role of the reviewing court.

Whatever these limitations, the court must observe its constitutional role to ensure that the protection Parliament intended was afforded to the fugitive. Their Lordships quashed the warrant and remitted the matter to the Home Secretary for further consideration.

The Queen's Bench Divisional Court (Lord Justice Henry and Mr Justice Ewbank) so held on an application for judicial review of the decision dated January 12, 1994 of the Home Secretary to issue a warrant for the arrest and extradition of the defendant, Mr Laufer, to Hong Kong to face trial upon charges of corruption.

LORD JUSTICE HENRY said that the court would be properly sensitive both to the delicacy of relations with the foreign state and

LORD JUSTICE HUTCHISON said that before trial commenced the prosecution made an ex parte application to the trial judge in which the appellant had been heard in person.

The judge accepted to the application, and defence counsel discovered that his client had been handcuffed only once trial proceeded.

His Lordship added that in this instance the consequences of failure to follow the rules of the hearing on the issue had not rendered the conviction unsafe.

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## Scots Law Report October 29 1996 Court of Session

### Defining market area for reference

**Stagecoach Holdings plc v Secretary of State for Trade and Industry**  
Before Lord Johnston  
[Judgment June 20]

There was nothing in the Fair Trading Act 1973 that imposed any particular geographical restriction on the Monopolies and Mergers Commission when carrying out an investigation under section 64 of that Act, although where the area selected was physically relatively small, other economic factors might be relevant too.

Lord Johnston, sitting in the Outer House of the Court of Session, so held, dismissing a petition for judicial review of (i) the recommendations contained in a report by the commission on a reference by the Secretary of State for Trade and Industry with regard to a merger of the petitioner, Stagecoach Holdings plc, and another bus operator, and (ii) certain decisions of the secretary of state following thereon.

Mr James McNeill, QC and Mr Robert Weir for the petitioners; Mr Matthew Clarke, QC and Mr Alan Dewar for the respondents.

LORD JOHNSTON observed that the case turned upon the construction of the 1973 Act and on the scope of the jurisdiction of the Monopolies and Mergers Commission as conferred by the statute and the way in which they had purported to exercise it in the present case.

The fundamental complaint by the petitioners was that in a number of ways both respondents had exceeded their powers and had acted irrationally in determining in both the commission report and in the decision of the minister that a qualifying merger existed contrary to the public interest, which, in terms of the legislation, had caused the minister to require certain behavioural undertakings from the petitioners against which they made the complaints which

underlay the present petition. His Lordship had deemed it necessary to refer to the parts of the commission report dealing with the relevant area to be selected for determining the issue of market share before examining the arguments advanced.

What had immediately to be recognised was that in making the relevant assessment, if the area in question was not the whole of the United Kingdom, it must be an identifiable area which was in turn a substantial part of the United Kingdom. One could not consider a share of the market without defining the market area.

It had been argued for the petitioners that the minister had acted irrationally in making the reference and that the commission had exceeded their jurisdiction in that they had departed from the area specified in the reference and had established a relevant area of their own upon which they had then made their assessment of the relevant share of the market which the merged companies would enjoy.

Neither the original reference area nor the area adopted by the commission, it was argued, qualified as a "substantial part of the United Kingdom".

The essence of the submission was that the statutory framework was such that in making the reference the minister determined the confines of the remit with regard to the relevant geographical area as he saw it. The commission had to accept that reference in its complete terms.

It had been further submitted that both the minister and the commission had applied the wrong test as to what was meant by a "substantial part" and the criteria that the commission had taken into account in holding the test to be satisfied were inadequate and therefore irrational.

Against that background, his Lordship proposed to consider four questions:

1 The scope of the jurisdiction conferred on the commission under section 64;

2 The means whereby it had exercised the jurisdiction in the present case;

3 The proper test to be established in relation to what was meant by "a substantial part of the United Kingdom"; and

4 The way in which the latter issue had been approached in this case.

In his Lordship's opinion, the statutory framework clearly identified the mischief which it was to address. It had to be recognised that the issue was broad, far-ranging and important in the context of public interest.

It was manifestly clear from section 64 that the primary jurisdictional element in any reference was an opinion, and no more than that, by the minister that the potential for damage to the public interest existed against the criteria of one quarter of a share of the market in either the United Kingdom or a substantial part thereof.

In his Lordship's opinion the whole purpose of the legislation and the public interest would be defeated if the minister's preliminary opinion of his own which, by definition, if he required the advice before reaching a final decision, could not be such a final decision.

Quite apart, therefore, from whether it would be appropriate to impose restrictions on the jurisdiction of the commission within the confines of the statute, public interest and the very wording of the Act dictated that no such restriction be imposed.

In his Lordship's opinion the proper starting point for the commission in terms of the legislation was consideration of whether there was a 25 per cent market share anywhere unless expressly defined in the reference, and for that purpose, they required to consider and identify the areas they had

looked at. The commission had been free to identify those areas and equally free to reach their conclusions as to market share in that context.

3 The proper test to be established in relation to what was meant by "a substantial part of the United Kingdom"; and

4 The way in which the latter issue had been approached in this case.

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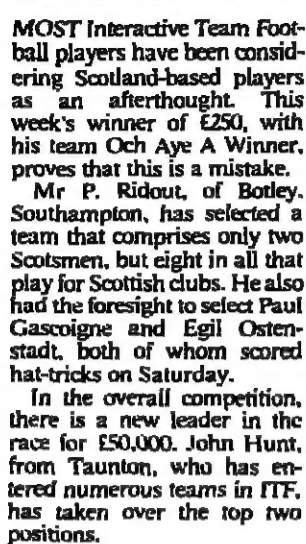
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**Goalkeeper**  
D Lekovic (Kilmarnock)

**Full backs**  
S McKimmie (Aberdeen)  
L Dixon (Arsenal)

**Central defenders**  
D McPherson (Hearts)  
M van der Gaag (Motherwell)

**Midfield players**  
P Gascoigne (Rangers)  
B Laudrup (Rangers)  
A Thom (Celtic)  
D Windass (Aberdeen)

**Strikers**  
E Ostenstadt (Southampton)  
P van Hooijdonk (Celtic)

**Manager**  
P Reid (Sunderland)

**ITF selectors with Manchester United defenders will be unhappy after the champions' 6-3 defeat against Southampton**



You can use the ITF transfer system to improve your fortunes. This allows you to

		IN	
32203 ..	Steve Batherwick	Nottingham Forest	£1.00m
		OUT	
21902 -	Bruno	Middlesbrough	£1.50m
32906	Adrian Whitbread	West Ham United	£0.25m
40306 .....	David Hester	Arsenal	£0.50m
40307 .....	Eddie McGoldrick	Arsenal	£0.50m
51505	Mark Hateley	Leeds United	£2.00m
52602 .....	Nell Shipperley	Southampton	£3.50m
60401	Paty Hurford	Blackburn Rovers	£3.00m

**LOANED PLAYERS**  
D Wascal (Derby to Manchester City, two weeks); C Holland (Newcastle to Birmingham, one week); B Angel (Sunderland to Stockport, three weeks); T Wright (Nottingham Forest to Reading, one week); Robbie van der Laan (Derby to Wolverhampton, two weeks); Scott Fitzgerald (Wimbledon to Millwall, two weeks); M Williams (Sheff Wednesday to Huddersfield, three weeks); F Bennett (Southampton to Shrewsbury, one month)  
*Loan periods subject to fluctuation*

change up to two players each week and to adjust your team if one of your players is actually transferred out of the FA Carling Premiership or Bell's Scottish League premier division.

You can make transfers only by telephone. Using a Touch-tone (DTMF) telephone (most push-button telephones with a \* and a hash key are Touch-tone), call the 0891 866 968 line during the times given. From outside the United Kingdom, you must call 0044 990 200 668.

When making a transfer, you must ensure that the team does not contain more than two individuals (two players or one player and a manager) from the same club.

If you are lagging behind the leading team selectors, the transfer system will be an appealing option to you in the chase for the prizes — the overall £50,000, monthly £1,000 or weekly £250.

**☐ All Interactive Team Football transfer queries should be directed to 0171-757 7016. All other inquiries can be made on 01582 488 122.**

All 1996-7 matches in the FA Carling Premiership, FA Cup, Bell's Scottish League premier division and Tennents Scottish Cup from August 17 count for points. Penalty shootouts do not count but results decided in this way will count for managers.

POINTS SCORED		
Goalkeeper		Striker
Keeps clean sheet*	4pts	Scores goal
Scores goal	3pts	All players
Saves penalty	1pt	Appearance†
Full back/Central defender		Scores hat-trick
Keeps clean sheet*	3pts	Manager
Scores goal	3pts	Team wins
Midfield player		Team draws
Keeps clean sheet*	1pt	
Scores goal	2pts	

POINTS DEDUCTED			
Goalkeeper		Booked	1
Concedes goal	2pts	Concedes penalty	1
Full back/Central defender		Misses penalty	1
Concedes goal	1pt	Scores own goal	1
All players		Manager	
Sent off	3pts	Team loses	1

\* must have played for 75 minutes in the match  
† must have played for 45 minutes in the match



**Call 0891 866 968**

If telephoning from outside the United Kingdom call 44 990 200 688

You may make transfers only by telephone using a Touch-tone (DTMF) telephone (most push-button telephones with a \* and a hash key are Touch-tone). You will need your ten-digit selectors PIN, which you will have to tap in, not speak. Follow the simple instructions and tap in the five-digit codes of the players you are transferring.

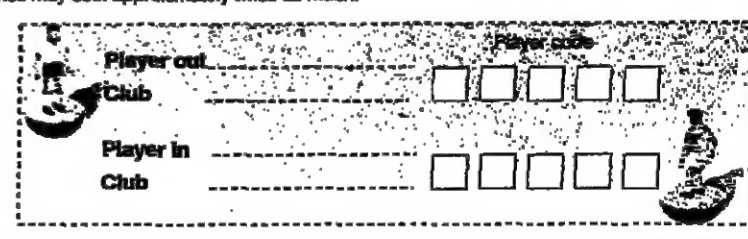
You may only make transfers in one team per telephone call. If you have entered two teams and want to make transfers in both, you must make two separate calls.

You may transfer two (but no more than two) individuals (two players or one player and a manager) during a transfer week. A player being transferred out must be replaced by one from the same category and you must keep to the team format of a goalkeeper, two full backs, two central defenders, four midfield players, two strikers and a manager. You must not exceed the £35 million budget and have no more than two individuals from the same club. Incorrect transfers will be rejected and your team will remain in its previous form.

The transfer week runs from 00.01 on Tuesday to midnight the following Monday. Transfers made before noon each day will become effective immediately. Transfers made after noon will become effective for matches played after noon on the following day.

Your new player only starts to score points for you when his transfer is registered. The current score of the player transferred out remains part of your team score but he then ceases to score for you.

Calls will be charged at 45p per minute cheap rates, 50p per minute at other times. Calls made from public telephones may cost approximately twice as much.



Pts	Team	(Player's name)
100	John Hunt Tarrant M	(J Hunt)

Pos	Team	(Player's name)	Pts
1	John Hunt Taunton H	(J Hunt)	224
2	John Hunt Taunton D	(J Hunt)	228
3	Gangsters	(A Lane)	225
3	NST Monkstone	(J Staszewicz)	225
5	Skyforest	(A Burton)	223
6	John Hunt Taunton F	(J Hunt)	222
7	Sophie And Sam	(G Foster)	219
8	John Hunt Taunton E	(J Hunt)	217
9	Purple Rain	(G Gohil)	215
10	Sky Times III	(L McCullough)	209
11	Jones Boys Three	(M Jones)	208
11	Noah's Ark	(G P Dolan)	208
13	Scheels For Goals	(K Booth)	206
14	1st Shift	(K J Burns)	206
14	A2	(K Farhall)	206
14	Jones Boys Eight	(M Jones)	206
14	Plastic Filters 10	(T Feehily)	206
18	I	(M Corless)	205
18	Dour Rangers 3	(I Clayton)	205
20	Raj Is Back To Kill	(R Gohil)	204
21	Mech Machine	(P Ford)	203
21	Rod's Rovers	(B Roddam)	203
23	Beyond Fault	(P Foster)	201
23	Nomads	(N Brown)	201
23	Orvieto Classico	(J Bradshaw)	201
26	John Hunt Taunton G	(J Hunt)	200
26	Set Against Cys	(S Shipley)	200
26	Abdul's Revenge	(D Ritchie)	200
26	Lesley's Legmen	(L Michaelis)	199
29	Nobby 33	(J Brown)	199
29	Ginger FC	(C Armstrong)	199
32	PJ Titale	(R Newbould)	198
32	Clevedon	(M Elsingh)	198
34	Doggers	(V Cox)	197
34	Alkstr	(I Fyfe)	197
34	AB 4	(A Boyland)	197
34	Layton's Lions 7	(R Layton)	197
34	Le Boucattiers	(J Roubick)	197
39	Hull Red Devils	(G Foster)	196
39	Pin Ups Two	(P Tusler)	196
39	Pamela Anderson	(P Hands)	196
39	Brain's Team	(B Howes)	196
39	Raj Is Back To Kill	(R Gohil)	196
39	Raj Is Back To Kill	(R Gohil)	196
45	United In Footy	(O Alfion)	186
45	Alderslade Villa	(M Jukes)	195
47	Nobby 29	(J Brown)	194
47	Triple Top Tan	(P Bailey)	194
47	Rolskia Raiders	(P M Handley)	194
47	Butwith Utd 3	(M Larcombe)	194
47	Raj Is Back To Kill	(R Gohil)	194
47	Flying Foreigners	(D Thomas)	194
53	Red Star Belgrava	(R Keenan)	183
53	Where's Ray Gone?	(P Fromm)	183
53	Turners Camera 3	(P Turner)	183
53	Cave From Down Under	(K James)	183
53	Slits Super Stars	(J Seaman)	183
53	Inter The Pub	(M Ward)	183
53	Alencia FC	(A Stiliano)	183
53	Fortuna Sandwich	(A J Finkle)	183
53	It's About Revenge C	(R Gohil)	183
53	Jan 2	(J Clayton)	183
53	JS August Monthly 1	(J Swirles)	183
53	Redupays Rovers	(B Eddon)	183
53	Raj Is Back To Kill	(J Gohil)	183
65	Bolok United 1	(J Pull)	182
65	Kinky Imports	(S Fraser)	182
65	Nobby 5	(J Brown)	182
65	Gauntlet FC	(C J Eldred)	182
65	Glens Win World Cup	(F Geary)	182

### FIND OUT HOW YOUR TEAM IS DOING

**Call the ITF checklist on**  
**0891 884 643**  
**Outside UK 44 990 100 343**

Check your points total and your ranking. You need a Touch-tone (DTMF) telephone (most push-button telephones with a \* and a hash key are Touch-tone) and your ten-digit selector's PIN. Calls made from public telephones may cost approximately twice as much.

Pos	Team	(Player's name)	Pts
65	Zig Zag Zak 25	(J Zak)	182
65	Burbage Bombers	(B Bull)	182
73	Beeston Celtic	(B McGivern)	191
73	Hart Karl XI	(H Kerr)	191
73	The Demsters	(C C Vevers)	191
73	TWFC 1	(T Webley)	191
73	Rigby's Rovers	(A Riggo)	191
73	Fendou United	(E Cowen)	191
73	Cool Slide Burns	(M Roper)	191
73	Dead Men Can Marry	(R E H Turnicillie)	191
73	Sporty Big Boms	(J Staszewicz)	191
73	Barry's Team	(B Matthews)	191
83	Abc	(M Baber)	190
83	Nobby	(J Brown)	190
83	Ace's Hives	(N Goddard)	190
83	Howe Rovers 3	(N Goddard)	190
83	The Luke Harwood XI	(M Kelly)	190
83	Nonsuch AFC 3	(J Wierd)	190
83	Glen Duffers	(S Wilson)	190
83	Ellie's Pompey Army	(M Ship)	190
83	Tulip's Tops	(D Tulip)	190
92	Burch Girls	(M Burch)	189
92	Bob's Boys 2	(R Calder)	189
92	Hairy May	(N Pearson)	189
92	Nobby 4	(J Brown)	189
92	Stons	(P Mills)	189
92	Dave's First XI	(D Quibell)	189
92	Claremont Loyal	(B Fout)	189
92	Kanter's Cronies	(E D Kanter)	189
92	Caroline B	(A Luckhurst)	189
92	Jenny's Slates	(D S Mills)	189
92	FC Big Hands	(A Marton)	189
92	Glaniuca At Me	(P Naylor)	189
104	Moggy Town	(B McGarridge)	188
104	Jack Son Of Ripper	(R Eddon)	188
104	Canover's Hotshots	(R Cannon)	188
104	Gestalt	(R Jones)	188
107	Dynamo Hibs	(S Miller)	187
107	John Hunt Taunton C	(J Hunt)	187
107	Cholm Chix 69	(C Scarlat)	187
107	Porcelain Gods	(P Ryan)	187

Pos	Team	(Player's name)	Pts
107	JS August Monthly 2	(J Swirles)	187
107	Bell Watchers	(J Murray)	187
107	Hopeful Hotshots	(H Rimmer)	187
107	West Brom The Best	(C Jones)	187
107	Champions	(L Gibbons)	187
107	Downs Destroyers	(R McQuillough)	187
107	Utd Forever Etc	(E Khoroja)	187
107	Thorn Footiey FC	(M Hone)	186
120	Mars FC	(M Baber)	186
120	Zoo Power	(D Harrison)	186
120	Do I Not Like Man Utd	(C D Woodward)	186
120	HGD is Out Of Order	(N Wheatley)	186
120	Tasha	(I Pigeon)	186
120	The Red Devils	(K Booth)	186
120	The Chrises	(C Potter)	186
120	Latent Margate	(G Boylan)	186
120	Real Ale Madrid 2	(M Smith)	186
129	Brady's Babes 2	(S Brady)	186
129	Tur	(P Turner)	186
129	Box Utd	(K J Burns)	186
129	Staffie	(J Longstaffe)	186
129	Dennis	(D Newton)	186
129	Polly's Pride	(P Smiley)	186
129	ST Utd	(M O'Brien)	186
129	FJ/R Rovers	(P J Butler)	186
129	The Big Man	(K Booth)	186
129	735	(T Bassant)	186
129	Team C	(A Lorne)	186
129	Raj Is Back To Kill	(R Gohil)	186
129	Ziggy's Boy's	(Z Ahmed)	186
129	Arrogant FC	(F K Taylor)	186
129	Unit Boys Utd 1	(B Gardner)	186
129	Keep Left	(M R Golding)	186
145	Foreign Flyers	(A Davis)	186
145	Nobby 7	(M Corless)	186
145	Turner's Tigers	(C Turner)	186
145	The Space Cowboys	(T Butler)	186
145	Over The Moon FC	(I Roscall)	186
145	Supers	(W Spence)	186
145	Chris' Cruiser Gang	(C Godden)	186
145	Former Champions	(A Murabalin)	186
145	Alice	(I Pigeon)	186
145	Shrew Moles	(H Brasher)	186
145	Team A	(A Lorne)	186
145	Jack's Nightmare	(N J Lane)	186
145	Raj Is Back To Kill	(R Gohil)	186
145	Real's Rovers	(N Bickard)	186
145	Tamashcher Rovers	(M Tarno)	186
145	Smith Rovers	(I Smith)	186
145	Mum's 1st XI	(J O'Connell)	186
145	Le Bouaf And 2 Veg	(M Sawley)	186
145	Jamie's Glants	(J Allen)	186
165	Ice 3	(T Alder)	183
165	Expensive Failures	(S Harper)	183
165	Jones Boys Six	(J Jones)	183
165	Nobby 11	(J Brown)	183
165	O & A Warriors	(A Summers)	183
165	Mynachdy Rovers	(S Grant)	183
165	Real Ale Rippoon	(C Blackshaw)	183
165	Justintime	(A Kent)	183
165	Euro Paulo 1	(P O'Connell)	183
165	Trouble Shooters	(R Pitt)	183
165	Wolaston Wolves	(D Gerratt)	183
165	Jane's Glants	(J Longham)	183
165	Borler Wanderers	(P Blain)	183
165	Raj Is Back To Kill	(R Gohil)	183
165	Evergreen On Judas F	(N Hi)	183
165	Oytrage 1	(G O Emoghona)	183
165	Spring City	(A L Collins)	183

Pos	Team	(Player's name)	Pts
165	Cochran End Rovers	(M Mitchell)	187
165	Lacewood One	(M Price)	187
165	Class 1	(R J Jones)	187
165	Wolf's Wonders	(J Willis)	187
165	Flavio's Left Foot	(A Ozanne)	187
165	E	(M Corless)	187
165	A	(M Corless)	187
165	Ed Con 3	(J Brown)	186
165	Obby 22	(J Doody)	186
165	Splones 024	(E Routledge)	186
165	Erie's Allsorts	(J Simpson)	186
165	The Simpsons	(M Andrew)	186
165	The Grey Wizard	(M Andrew)	186
165	Moggy Singes	(P Toyne)	186
165	Icarus	(B Wells)	186
165	Heddon's House	(B Simmonds)	186
165	Hutton Holstap	(P Sheridan)	186
165	Cavaliers	(D Patterson)	186
165	Patto's Allstars	(J W Donaldson)	186
165	lan's B Team	(J W Goody)	186
165	SJ2	(G Milner)	186
165	Col 1	(G Milner)	186
165	Obviously	(B Whitnott)	186
165	Athletic Storm	(P Mills)	186
165	Jobber Skald	(W Clary)	186
165	Hennig Berg Kick 1	(I Milne)	186
165	Alax The Great	(B A Kerr)	186
165	Richmond Rovers	(G Rhys)	186
165	Intia Goal	(G Lippert)	186
165	PT's Top Team	(T Tidmarsh)	186
165	AC Fantasy FC	(M Skipton)	186
165	Marshall's	(J A Tomlinson)	186
165	Innards	(M Kingdon)	186
165	The Magicians II	(M Swallow)	186
165	Beep Clean Chimney	(S Dickie)	186
165	Inter Hoojdonk	(S A Goddard)	186
165	Jason's Boys Four	(J Gerring)	186
165	Bumbles X	(S Jones)	186
165	Turnip United	(G Ash)	186
165	North Lane XI	(W Bradley)	186
165	Sporting Omnia	(A Swift)	186
165	Lynne's Lions	(L Horns)	186
165	Inter The Unknown	(P Barnett)	186
165	Nobby 24	(J Brown)	186
165	Up Up And Away	(G Black)	186
165	Wethers Wanderers	(D Wetherall)	186
165	Bugalupe	(S Birchfield)	186
165	West Wanderers	(S West)	186
165	—	(S W Rowell)	186
165	Jones Boys One	(M L Jones)	186
165	Inter The Wallat	(M Ward)	186
165	Inverkeilor FC	(D Cameron)	186
165	Howe Rovers 1	(N Goddard)	186
165	China Castle	(no name)	186
165	Lincoln Imps 1	(S A J Reeves)	186
165	Bown's Boys XI	(P Bown)	186
165	4 4 2	(K Browne)	186
165	T 20	(T Bassant)	186
165	Dream Team 11	(C Harshley)	186
165	Shooting Stars	(S Scott)	186
165	S's Euphoria	(S James)	186
165	Boscombe A	(M Jones)	186
165	FC Familton	(C Hann)	186
165	Toto Caldo	(A Daye)	186
165	Frank FC	(N Ford)	186
165	Solo's 1st XI	(D A Tar)	186
165	BB 1875 XI	(M Whythe)	186
165	Pacific All Star	(T I Jones)	186

Code	Name
20101	W. Jones
20102	V. Smith
20103	F. Brown
20104	S. Davis
20105	G. Miller
20106	L. Wilson
20107	R. Moore
20108	J. Taylor
20109	M. White
20110	C. Clark
20111	D. Evans
20112	H. Green
20113	K. Hall
20114	N. King
20115	P. Lee
20116	Q. Martin
20117	T. Nelson
20118	U. Owen
20119	V. Parker
20120	W. Reed
20121	X. Scott
20122	Y. Thomas
20123	Z. Turner
20124	A. Vance
20125	B. Webb
20126	C. Wright
20127	D. Young
20128	E. Adams
20129	F. Baker
20130	G. Campbell
20131	H. Carter
20132	I. Evans
20133	J. Fisher
20134	K. Garcia
20135	L. Harris
20136	M. Hill
20137	N. Jones
20138	O. King
20139	P. Lee
20140	Q. Martin
20141	R. Nelson
20142	S. Owen
20143	T. Parker
20144	U. Reed
20145	V. Scott
20146	W. Thomas
20147	X. Turner
20148	Y. Vance
20149	Z. Webb
20150	A. Wright
20151	B. Young
20152	C. Adams
20153	D. Baker
20154	E. Campbell
20155	F. Carter
20156	G. Evans
20157	H. Fisher
20158	I. Garcia
20159	J. Harris
20160	K. Hill
20161	L. Jones
20162	M. King
20163	N. Lee
20164	O. Martin
20165	P. Nelson
20166	Q. Owen
20167	R. Parker
20168	S. Reed
20169	T. Scott
20170	U. Thomas
20171	V. Turner
20172	W. Vance
20173	X. Webb
20174	Y. Wright
20175	Z. Young
20176	A. Adams
20177	B. Baker
20178	C. Campbell
20179	D. Carter
20180	E. Evans
20181	F. Fisher
20182	G. Garcia
20183	H. Harris
20184	I. Hill
20185	J. Jones
20186	K. King
20187	L. Lee
20188	M. Martin
20189	N. Nelson
20190	O. Owen
20191	P. Parker
20192	Q. Reed
20193	R. Scott
20194	S. Thomas
20195	T. Turner
20196	U. Vance
20197	V. Webb
20198	W. Wright
20199	X. Young
20200	Y. Adams
20201	Z. Baker
20202	A. Campbell
20203	B. Carter
20204	C. Evans
20205	D. Fisher
20206	E. Garcia
20207	F. Harris
20208	G. Hill
20209	H. Jones
20210	I. King
20211	J. Lee
20212	K. Martin
20213	L. Nelson
20214	M. Owen
20215	N. Parker
20216	O. Reed
20217	P. Scott
20218	Q. Thomas
20219	R. Turner
20220	S. Vance
20221	T. Webb
20222	U. Wright
20223	V. Young
20224	W. Adams
20225	X. Baker
20226	Y. Campbell
20227	Z. Carter
20228	A. Evans
20229	B. Fisher
20230	C. Garcia
20231	D. Harris
20232	E. Hill
20233	F. Jones
20234	G. King
20235	H. Lee
20236	I. Martin
20237	J. Nelson
20238	K. Owen
20239	L. Parker
20240	M. Reed
20241	N. Scott
20242	O. Thomas
20243	P. Turner
20244	Q. Vance
20245	R. Webb
20246	S. Wright
20247	T. Young
20248	U. Adams
20249	V. Baker
20250	W. Campbell
20251	X. Carter
20252	Y. Evans
20253	Z. Fisher
20254	A. Garcia
20255	B. Harris
20256	C. Hill
20257	D. Jones
20258	E. King
20259	F. Lee
20260	G. Martin
20261	H. Nelson
20262	I. Owen
20263	J. Parker
20264	K. Reed
20265	L. Scott
20266	M. Thomas
20267	N. Turner
20268	O. Vance
20269	P. Webb
20270	Q. Wright
20271	R. Young
20272	S. Adams
20273	T. Baker
20274	U. Campbell
20275	V. Carter
20276	W. Evans
20277	X. Fisher
20278	Y. Garcia
20279	Z. Harris
20280	A. Hill
20281	B. Jones
20282	C. King
20283	D. Lee
2	



**Holiday village is approved in court**

...to turn the village into a holiday resort... the High Court judge said the plan was in line with the local authority's policy...

**...arrested**

...been doing a good job of running a concrete... the man was arrested after a search of his car...

**...majestic**

...to drop the... the court heard that the... will be a... majestic...

**...hopefuls**

...from... the... will be a... hopefuls...

**...job**

...the... the... will be a... job...

**...seal**

...the... the... will be a... seal...

**...appeal**

...the... the... will be a... appeal...

**...raid**

...the... the... will be a... raid...

**...315 315**

...the... the... will be a... 315 315...

# The ITF players, their points and their values if you are considering the transfer option

Code	Name	Team	Pos	Pts	Val
10101	M Watt	Aberdeen	1.50	0	-3
10102	M Walker	Aberdeen	1.00	+5	+7
10201	V Seaman	Arsenal	5.00	+5	+31
10202	V Bartram	Arsenal	0.75	0	0
10203	J Lukic	Arsenal	0.75	0	0
10301	M Boshch	Aston Villa	0.75	0	0
10302	M Oakes	Aston Villa	3.50	-2	+1
10401	T Flowers	Blackburn Rovers	1.00	0	0
10501	S Given	Blackburn Rovers	3.00	-4	+18
10502	G Marshall	Celtic	2.00	0	0
10601	D Kharine	Chelsea	3.50	0	-1
10602	S Ogilvie	Chelsea	2.50	0	-10
10701	J Flann	Coventry City	1.50	-1	-19
10702	M Taylor	Coventry City	0.50	+5	-8
10801	R Houtt	Derby County	1.00	0	0
10901	A Maxwell	Dundee United	1.00	-3	-9
10902	L Key	Dundee United	0.50	+5	+4
11001	I Westwater	Dunfermline	0.50	0	0
11101	N Southall	Everton	0.50	0	-18
11102	J Keaton	Everton	2.50	0	-1
11103	P Gerrard	Everton	0.50	0	0
11201	G Rousset	Hearts	2.00	0	-21
11301	J Leighton	Hibernian	1.50	0	+3
11401	D Lekovic	Kilmarnock	1.00	-3	-25
11501	M Beaney	Leeds United	1.50	0	0
11502	P Evans	Leeds United	0.50	0	0
11601	K Pooles	Leeds United	0.50	-13	0
11602	K Keller	Leeds United	1.00	0	0
11701	D James	Leeds United	1.00	+5	+4
11702	A Warner	Liverpool	5.00	-1	+10
11801	P Schmeichel	Manchester United	0.50	0	0
11802	P van der Gouw	Manchester United	5.00	-1	-10
11901	G Walsh	Middlesbrough	1.00	0	+5
11902	A Miller	Middlesbrough	1.50	+5	+5
12001	S Howie	Motherwell	1.50	-23	0
12101	S Hlopik	Newcastle United	4.00	0	-3
12102	P Smicek	Newcastle United	3.00	-3	+6
12201	M Crossley	Nottingham Forest	2.50	0	-17
12202	A Fettes	Nottingham Forest	0.75	0	0
12301	S Throsson	Nottingham Forest	0.75	0	0
12401	A Goram	Raith Rovers	0.50	0	0
12501	K Pressman	Rangers	5.00	0	+13
12601	D Beasant	Sheff Wednes	2.00	+5	-8
12701	N Moss	Sheff Wednes	1.00	-5	-10
12801	L Perez	Sunderland	0.25	0	+2
12901	I Walker	Sunderland	1.00	+5	0
13001	L Mikosko	Tottenham Hotspur	3.50	-5	+10
13101	S Maatone	West Ham United	2.00	-1	-12
13201	N Sullivan	Wimbledon	0.50	0	+5
13301	P Heald	Wimbledon	1.00	+5	+10



Ian Wright scores Arsenal's third goal against Leeds. He remains one of ITF's leading strikers, with 29 points

Code	Name	Team	Pos	Pts	Val
30305	R Scimeca	Aston Villa	1.00	0	+1
30401	C Hendry	Blackburn Rovers	4.00	0	-1
30402	I Pearce	Blackburn Rovers	2.50	0	0
30403	C Coleman	Blackburn Rovers	2.50	0	-3
30404	N Marker	Blackburn Rovers	0.50	-1	-2
30501	T Boyd	Celtic	0.50	-1	-2
30502	M Mackay	Celtic	3.00	+4	+9
30503	A Stubbs	Celtic	1.50	0	+3
30601	M Dobbie	Chelsea	3.50	+4	+7
30602	F Labadie	Chelsea	2.50	0	-5
30603	F Sinclair	Chelsea	2.00	0	0
30604	D Lee	Chelsea	2.00	0	0
30605	A Myers	Chelsea	2.00	+3	+3
30606	E Johnson	Chelsea	1.50	0	+6
30701	J Keldbjerg	Chelsea	1.50	0	-10
30702	L Daise	Coventry City	0.50	0	0
30703	R Shaw	Coventry City	1.50	+4	+5
30801	D Buxton	Coventry City	1.00	0	0
30802	I Stinson	Derby County	2.50	-1	-1
30901	D Wassall	Derby County	1.00	0	0
30902	P McGrath	Derby County	2.50	-2	-2
30903	J Laurson	Derby County	1.00	-1	-3
31001	M Carson	Derby County	0.50	0	0
31002	S Pressley	Dundee United	0.50	0	0
31101	I Miller	Dunfermline	1.00	+4	+9
31102	I Den Bieman	Dunfermline	0.75	0	-2
31103	D Unsworth	Everton	2.50	0	-5
31201	C Short	Everton	2.50	0	+1
31202	D McPherson	Everton	2.00	0	+6
31301	R Ritchie	Hearts	1.00	0	0
31302	J McLaughlin	Hibernian	1.00	0	+1
31401	B Welsh	Hibernian	0.50	0	-4
31402	R Hunter	Hibernian	0.50	0	+9
31501	M Ralphy	Kilmarnock	1.00	0	-3
31502	R Montgomery	Kilmarnock	0.75	-1	-1
31601	D Wetters	Leeds United	2.50	0	+3
31701	R Jobson	Leeds United	1.00	0	+2
31702	L Radabe	Leeds United	1.00	0	-2
31801	J Parkin	Leeds United	1.00	-3	-8
31802	S Walsh	Leeds United	0.50	0	0
31901	J Watts	Leeds United	1.00	+4	+4
32001	P Vassmer	Leeds United	0.50	0	+13
32101	S Prior	Leeds United	1.00	+4	+6
32201	P Babb	Liverpool	1.00	+6	+6
32301	J Scales	Liverpool	3.50	+14	+14
32401	M Wright	Liverpool	3.50	0	0
32501	N Ruddock	Liverpool	3.50	+11	+11
32601	D May	Manchester United	1.00	0	+12
32701	R Patterson	Manchester United	3.00	-2	+3
32801	D Mear	Manchester United	2.50	0	-10
32901	N Pearson	Manchester United	1.50	0	-9
33001	S Vickers	Middlesbrough	1.50	0	-7
33101	D Whyte	Middlesbrough	1.50	0	-7
33201	P Whelan	Middlesbrough	1.50	0	-7
33301	B Martin	Motherwell	0.75	0	-4
33401	P Burt	Motherwell	0.75	0	-4
33501	S Howie	Newcastle United	0.75	0	+11
33601	D Peacock	Newcastle United	3.00	0	+7
33701	C Cooper	Newcastle United	3.00	-1	-12
33801	S Chettle	Nottingham Forest	3.00	0	-3
33901	S Dennis	Nottingham Forest	2.50	0	0
34001	R Gough	Rangers	1.00	0	-14
34101	A McLaren	Rangers	3.00	0	+22
34201	J Bjorklund	Rangers	3.50	+4	+13
34301	G Petric	Rangers	2.50	+4	+8
34401	J Newsome	Sheff Wednes	2.00	+4	+8
34501	D Walker	Sheff Wednes	1.50	+4	+5
34601	B Lingham	Sheff Wednes	0.25	0	0
34701	A Neilson	Sheff Wednes	1.00	0	-4
34801	C Lundie	Sheff Wednes	0.50	-1	-1
34901	S Uvan Gobel	Sheff Wednes	0.50	-3	-1
35001	A Melville	Sunderland	1.50	-2	-2
35101	K Bell	Sunderland	1.00	+4	+14
35201	R Ord	Sunderland	1.00	+4	+14
35301	Campbell	Tottenham Hotspur	2.50	+4	+12
35401	C Calderwood	Tottenham Hotspur	2.50	-2	-12
35501	G Mabbitt	Tottenham Hotspur	2.00	0	0
35601	J Cundy	Tottenham Hotspur	0.50	0	0
35701	K Scott	Tottenham Hotspur	0.50	0	0
35801	S Nethercott	Tottenham Hotspur	0.50	0	0
35901	S Bile	West Ham United	0.50	0	-3
36001	M Rieger	West Ham United	2.50	0	+4
36101	S Potts	West Ham United	2.00	0	0
36201	R Hall	West Ham United	1.50	0	0
36301	R Ferdinand	West Ham United	1.50	0	0
36401	A Whitbread	West Ham United	0.50	0	0
36501	A Reeves	Wimbledon	0.25	0	0
36601	P Pearce	Wimbledon	0.50	0	0
36701	D Blackall	Wimbledon	0.50	0	0
36801	M McAllister	Wimbledon	0.50	+4	+3
36901	S Fitzgerald	Wimbledon	0.25	0	0

Code	Name	Team	Pos	Pts	Val
42702	S Agnew	Sunderland	1.50	0	+10
42703	A Roe	Sunderland	1.50	0	+3
42704	P Bracewell	Sunderland	0.75	0	+14
42705	M Smith	Sunderland	1.00	0	0
42801	D Anderson	Tottenham Hotspur	5.50	0	0
42802	R Fox	Tottenham Hotspur	4.00	+1	+15
42803	D Howells	Tottenham Hotspur	2.00	+1	+13
42804	J Doozall	Tottenham Hotspur	2.00	0	+2
42805	A Sinton	Tottenham Hotspur	1.50	0	+8
42806	R Rosenthal	Tottenham Hotspur	1.50	0	+2
42807	A Nielsen	Tottenham Hotspur	2.50	0	+1
42901	I Bishop	West Ham United	3.50	0	+4
42902	M Hughes	West Ham United	2.00	+1	+6
42903	D Williams	West Ham United	2.00	+1	+9
42904	J Moncur	West Ham United	1.50	0	+7
42905	S Lazarides	West Ham United	1.50	+1	+8
43001	R Earle	Wimbledon	0.25	+1	+3
43002	O Leonhardsen	Wimbledon	4.00	+1	+23
43003	M Gayle	Wimbledon	2.50	+2	+11
43004	V Arley	Wimbledon	1.50	+1	+12
43005	N Arley	Wimbledon	0.50	+2	+19
43006	S Castledine	Wimbledon	0.50	0	0
43007	P Fear	Wimbledon	0.25	-1	-1

Code	Name	Team	Pos	Pts	Val
50101	S Booth	Aberdeen	4.50	0	+1
50102	D Shearer	Aberdeen	3.00	0	+3
50103	W Dods	Aberdeen	5.00	+1	+8
50201	I Wright	Arsenal	7.00	+3	+29
50202	D Bergkamp	Arsenal	7.00	+3	+11
50203	J Harrison	Arsenal	3.50	0	+8
50204	C Kilmorye	Aston Villa	0.50	0	0
50301	D Yorke	Aston Villa	2.50	+1	+24
50302	S Milosevic	Aston Villa	5.00	0	+9
50303	T Johnson	Aston Villa	4.00	+1	+10
50304	J Joshi	Aston Villa	2.00	0	+4
50401	K Gallacher	Blackburn Rovers	3.00	0	+6
50402	C Sutton	Blackburn Rovers	2.50	0	+10
50403	G Fenton	Blackburn Rovers	2.50	0	+3
50404	N Gudmundsson	Blackburn Rovers	1.00	0	0
50501	P van Hooijdonk	Celtic	7.00	+3	+24
50502	J Gashie	Celtic	6.00	+2	+12
50601	G Vialli	Chelsea	5.00	+1	+20
50602	M Hughes	Chelsea	4.00	+1	+10
50603	J Spencer	Chelsea	0.50	0	0
50604	M Stein	Chelsea	0.50	0	0
50701	N Whelan	Coventry City	8.00	+1	+11
50702	D Dublin	Coventry City	5.00	+1	+11
50801	P Ndlovu	Coventry City	3.00	+1	+8
50802	D Sturridge	Derby County	3.00	0	+8
50803	M Gabbiadini	Derby County	2.00	0	+5
50804	A Ward	Derby County	2.00	+3	+5
50901	R Williams	Derby County	1.00	+1	+7
50902	O Coyle	Dundee United	2.00	0	+4
50903	A Moore	Dunfermline	2.00	0	+5
51001	S Petrie	Dunfermline	2.00	+1	+7
51002	D Ferguson	Everton	6.00	0	+8
51003	G Stuart	Everton	3.00	0	+11
51004	P Riddle	Everton	2.00	0	+1
51101	J Robertson	Hearts	3.50	0	+10
51102	C Cameron	Hearts	3.50	+1	+5
51103	D Beckford	Hibernian	0.50	+1	+4
51104	K Wright	Hibernian	3.00	0	+7
51201	D Jackson	Hibernian	3.00	+1	+14
51202	P Wright	Kilmarnock	7.00	0	+7
51203	A Yeobah	Leeds United	3.50	0	+7
51204	I Rush	Leeds United	2.00	+1	+2
51205	B Deane	Leeds United	2.00	0	+3
51206	M Hately	Leeds United	2.50	+3	+12
51207	S Claridge	Leeds United	2.00	+3	+17
51208	E Heskey	Leeds United	2.00	+3	+17
51209	M Robins	Leeds United	0.75	0	+1
51210	I Marshall	Leeds United	8.00	+6	+16
51211	T Fowler	Liverpool	8.00	+15	+15
51212	S Collymore	Liverpool	8.50	+15	+15
51213	E Cantona	Manchester United	5.00	+3	+3
51214	R Scholes	Manchester United	4.50	0	+1
51215	A Cole	Manchester United	4.00	0	+13
51216	O G Solskjaer	Manchester United	2.50	0	+12
51217	N Barmby	Middlesbrough	5.00	+1	+29
51218	J Foy	Middlesbrough	2.50	0	0
51219	F Ravanelli	Middlesbrough	5.00	+1	+29
51220	M Beck	Middlesbrough	2.50	+1	+1
51221	T Coyne	Motherwell	2.00	0	0
51222	D Arnot	Motherwell	1.50	0	+14
51223	A Shearer	Newcastle United	10.0	0	+24
51224	L Ferdinand	Newcastle United	8.50	+1	+24
51225	F Asprilla	Newcastle United	6.50	0	+3
51226	P Bardsley	Newcastle United	5.00	+1	+9
51227	P Kitson	Newcastle United	1.50	0	0
51228	D Huckerby	Newcastle United	0.25	0	0
51229	D Saunders	Nottingham Forest	3.50	0	+14
51230	B Rice	Nottingham Forest	3.00	0	+14
51231	P McGregor	Nottingham Forest	1.50	0	0
51232	K Campbell	Nottingham Forest	1.50	0	+16
51233	J Lee	Nottingham Forest	1.50	0	+5
51234	S Howe	Nottingham Forest	0.50	0	0
51235	P Duffield	Rath Rovers	2.50	+1	+9
51236	Durie	Rangers	8.00	0	+3
51237	McCollet	Rangers	5.00	+1	+2
51238	Hirst	Rangers	5.00	0	+16
51239	Booth	Sheffield Wednesday	3.00	0	+6
51240	Bright	Sheffield Wednesday	2.50	+1	+9
51241	Whittingham	Sheffield Wednesday	1.50	0	+13
51242	Daniellson	Sheffield Wednesday	0.50	0	+3
51243	Humphreys	Sheffield Wednesday	2.00	0	+5
51244	Le Tissier	Southampton	7.00	+3	+21
51245	Shipperley	Southampton	3.50	0	+11
51246	Watson	Southampton	1.50	0	+6
51247	Bennett	Southampton	2.00	+13	+14
51248	Ostenstad	Sunderland	1.00	+3	+6
51249	Stewart	Sunderland	1.00	0	+5
51250	Kelly	Sunderland	1.00	0	+2
51251	Howe	Sunderland	0.50	+1	+1
51252	Bridges	Sunderland	0.50	+1	+1
51253	Angeli	Sunderland	3.00	0	+7
51254	Theringham	Tottenham Hotspur	7.00	+3	+15
51255	Armstrong	Tottenham Hotspur	0.75	0	0
51256	Allen	Tottenham Hotspur	3.00	0	+2
51257	Diouf	West Ham United	2.00	0	+4
51258	Mitracovic	West Ham United	1.50	0	+2
51259	Wise	West Ham United	3.00	0	+3
51260	Wendie	Wimbledon	1.50	0	+2
51261	Oldsworth	Wimbledon	3.00	0	+18
51262	Woodman	Wimbledon	1.50	0	+3
51263	Ell	Wimbledon	0.75	0	0
51264	Striker	Wimbledon	0.75	0	+5
51265	Worford	Wimbledon	0.50	0	0
51266	Weslett	Wimbledon	0.50	0	0



